

A General Guide to Environmental Permitting in South Carolina



2001

A GENERAL GUIDE TO
ENVIRONMENTAL PERMITTING
IN
SOUTH CAROLINA



July 2001

This booklet was produced by the South Carolina Department of Health and Environmental Control Office of Environmental Quality Control, the Office of Ocean and Coastal Resource Management, and the Office of Health Regulation. At the time of publication, some regulations are in effect and others are being promulgated. Consult the specific program area for more detailed information.

For more information or copies of this booklet contact:

South Carolina Department of Health and Environmental Control
Office of Environmental Quality Control
2600 Bull Street
Columbia, SC 29201
(803) 896-8940
<http://www.scdhec.net/eqc>

OR

South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, SC 29405
(843) 744-5838
<http://www.scdhec.net/ocrm>

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

GUIDE OBJECTIVE

This is a guide to environmental permitting in the State of South Carolina. The focus is on those actions which must be taken prior to an individual or company constructing or starting up a facility or process which will be a potential source of pollution. The guide does not cover permits which may be required from other state or federal agencies.

This guide is not a substitute for applicable federal and South Carolina law and regulation. It is intended to provide a starting point for those seeking information regarding permits or for those interested in learning about the permitting process. While every effort has been made to ensure completeness and accuracy, it should not be relied on when making permitting decisions.

Comments about this guide and suggestions for improvements are welcomed. Please forward comments to:

Permitting Liaison
Office of Environmental Quality Control
South Carolina Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201

ACKNOWLEDGMENTS

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ACRONYMS, ABBREVIATIONS, AND SYMBOLS

| | |
|---------|---|
| BACT | Best Available Control Technology |
| BAQ | Bureau of Air Quality |
| BES | Bureau of Environmental Services |
| BLWM | Bureau of Land and Waste Management |
| BMP | Best Management Practices |
| BOD | Biochemical Oxygen Demand |
| BW | Bureau of Water |
| CAAA | Clean Air Act Amendments |
| CERCLA | Comprehensive Environmental Response, Compensation, and Liability Act |
| CFC | Chlorofluorocarbons |
| CFR | Code of Federal Regulations |
| CWM | Center for Waste Minimization |
| CZ | Coastal Zone |
| EPA | U.S. Environmental Protection Agency |
| EPCRA | Emergency Planning and Community Right To Know Act of 1986 |
| EQC | Environmental Quality Control |
| FOI | Freedom of Information |
| FOIA | Freedom of Information Act |
| FCAA | Federal Clean Air Act |
| GAPC | Geographical Areas of Particular Concern |
| HAP | Hazardous Air Pollutants |
| LAER | Lowest Achievable Emission Rate |
| MACT | Maximum Achievable Emission Control Technology |
| MGD | Million Gallons Per Day |
| MS4 | Municipal Separate Storm Sewer System |
| MSDS | Material Safety Data Sheet |
| NOI | Notice of Intent |
| NESHAP | National Emission Standards for Hazardous Air Pollutants |
| NOAA | National Oceanic and Atmospheric Administration |
| NPDES | National Pollutant Discharge Elimination System |
| NSPS | New Source Performance Standard |
| OCRM | Office of Ocean and Coastal Resource Management |
| PER | Preliminary Engineering Report |
| PM | Particulate Matter (PM _{2.5} - particulates less than 2.5 micrometers in diameter) |
| POTW | Publicly Owned Treatment Works |
| SBTCAP | Small Business Technical and Compliance Assistance Program |
| PSD | Prevention of Significant Deterioration |
| RCRA | Resource Conservation and Recovery Act |
| SBAP | Small Business Assistance Program |
| SCDHEC | S.C. Department of Health and Environmental Control |
| SCDNR | S.C. Department of Natural Resource |
| SCUSTCR | S.C. Underground Storage Tank Control Regulations |
| SIC | Standard Industrial Classification |
| SUPERB | State Underground Petroleum Environmental Response Bank |
| TMDL | Total Maximum Daily Load |
| TPY | Tons Per Year |
| UIC | Underground Injection Control |
| UST | Underground Storage Tank |
| UV | Ultraviolet |
| VOC | Volatile Organic Compound |
| WWTP | Waste Water Treatment Plant |

OVERVIEW

With expanded growth in South Carolina, continued protection and management of the state's natural resources is a major challenge. This has led to the expansion of the management programs aimed at protecting the environment and public health. This booklet is written as a guide to the many state and federal environmental requirements that affect businesses and industries located or operating within the State of South Carolina. Facility managers, engineers, economic development officials, and citizens may use this booklet to become familiar with the approvals that must be obtained before a business can construct or operate a facility in the State of South Carolina. Please be aware, however, that this booklet is not a substitute for any laws and regulations that may apply to an activity or facility.

GENERAL CHARACTERISTICS OF ENVIRONMENTAL REGULATION

The dynamics of South Carolina's permitting process are affected by a variety of factors: economic growth, funding, scientific advances in areas such as detection technology, and monitoring techniques. However, most of the regulatory requirements are the result of nationwide environmental and health regulations developed by the United States Environmental Protection Agency (USEPA) under federal law. It should be noted that South Carolina is in EPA Region IV, headquartered in Atlanta, Georgia.

Quality of life is a broad term that represents many aspects of the health and well-being of individuals and their communities. Clearly, South Carolinians are becoming more concerned about the impact of growth on their communities. The South Carolina Department of Health and Environmental Control (SCDHEC) is organized to provide the coordination of environmental permitting and regulatory communication with business, government, and the general public to help minimize the impact of growth on the state's natural resources and environment. South Carolina has enjoyed good air quality and an adequate supply of clean drinking water over the years. Quality management of water resources and air quality will help assure adequate quantities of clean drinking water and good air quality. SCDHEC continues to utilize the data it collects and receives from various sources and analyzes this information to formulate trends in order to help communities plan for water needs, air quality trends, and water protection as the state grows.

For the past two decades, environmental protection has primarily relied on command and control technology and "end of pipe" methods for "controlling" pollution. Discharges to the air, land, and water which accompany economic growth have historically been accepted as a necessary evil. However, as the ability of the environment to absorb pollution continues to diminish, this philosophy has been largely discredited. Pollution prevention activities can eliminate the effect of pollution at its source, providing the most effective approach for an integrated waste management strategy. The Center for Waste Minimization offers technical assistance at no charge to industry to reduce the

amount of waste material produced through the utilization of advances in waste reduction technology and the knowledge and experience of retired industry executives.

The complexities of environmental programs, both regulatory and non-regulatory, dictate that any business or industry which is new to the State of South Carolina, or is modifying a facility or a process, seek guidance from all of the appropriate program areas. This process can be facilitated through the office of the permitting liaison. The permitting liaison serves as the primary contact and advocate for the regulated community and is responsible for coordinating the permits that businesses and industries need from the various program areas at the SCDHEC.

REGULATORY TECHNIQUES EMPLOYED

Several regulatory techniques are used in South Carolina by the various program areas charged with protecting public health and the environment. This includes permitting, licensing, certification, registration, monitoring, and reporting. Since businesses and industries may be subject to requirements in several program areas, it is recommended that early contact with the SCDHEC be incorporated into the planning stage of the project. The list below briefly describes the mechanisms that are employed by the various program areas.

- **Permitting:** A business may have to obtain a permit from the state to construct and/or operate a facility. The permit is an agreement which binds the owner to design requirements and/or the operator to performance procedures and standards.
- **Licensing:** Individuals who perform certain tasks in a business or industry may have to hold a license. In some instances, this is in addition to the permit(s) that is required for the construction and/or operation of the facility itself.
- **Registration:** Owners or operators may have to provide notification and a description of their facility that is in operation at the time a new regulation becomes effective.
- **Certification:** Businesses or industries may be required to document or provide affidavits showing that they are in compliance with a regulation or standard, or have constructed a facility in a certain way. This documentation is typically required to be signed by a notary, professional engineer, professional geologist, and/or a registered land surveyor. In all instances, these individuals must be registered to practice their profession in the State of South Carolina. In some instances a certification may need to be obtained from the agency for the proposed activity.

- **Reporting:** Owners and/or operators may be required to report such information as it relates to the operation of certain types of equipment, units, emissions of specific pollutants, or storage and the use of toxic substances.
- **Monitoring:** Owners and/or operators may be required to sample and record levels of emissions, including air pollutants, wastewater, and dust. The monitoring activity may also include groundwater. Monitoring data submitted to the Department must be conducted by a SCDHEC certified laboratory.

Projects that require federal permits or are supported with federal funds may be subject to an environmental impact review.

ADMINISTRATION OF ENVIRONMENTAL REQUIREMENTS

"Streamlined" is a goal the State of South Carolina hopes to achieve in administering environmental regulations as they apply to businesses, industries, and other subdivisions of government. The SCDHEC is the agency charged with implementing this task. SCDHEC's governing body is a seven-member Board appointed by the Governor. The Board hires a Commissioner to manage the agency's broad responsibilities for environmental protection and public health. Under the Commissioner are four major offices, each led by a Deputy Commissioner, who serve at the pleasure of the Commissioner. These offices are: Health Services, Health Regulations, Environmental Quality Control, and Ocean and Coastal Resource Management.

OFFICE OF ENVIRONMENTAL QUALITY CONTROL

The Office of Environmental Quality Control (EQC) is the primary SCDHEC entity involved with the protection of the environment. EQC is organized into four program areas. The program areas are responsible for decisions regarding permit requests as well as the development of regulations. Additionally, there are several liaisons (enforcement, permitting, risk communication, and federal facilities) available within EQC who can assist the regulated community and the general public on environmental matters within the State of South Carolina. In 2000, restructuring within the agency led to the transfer of the underground storage tank (UST) program to the Bureau of Land and Waste Management within the Office of EQC from the Office of Health Services. New permitting activities added to EQC include the individual residential well and irrigation well program and the permitting of municipal separate storm sewer systems (MS4).

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

In addition to the above referenced permitting program areas, the Office of Ocean and Coastal Resource Management (OCRM) is tasked with the protection of the coastal environment, while also promoting responsible development along the

South Carolina coast. The primary goals of the program are to protect the quality of the coastal environment and to promote the economic and social improvement of the coastal zone the people of the state. OCRM is responsible for the management of the State's coastal resources, including beaches, tidelands, and wetlands, both salt and freshwater. The program also incorporates a variety of other coastal resources, such as historical and archeological sites, endangered species, coastal waters, shellfish, port facilities, and scenic rivers. The OCRM has two major program areas: (1) critical area permitting and (2) coastal zone consistency certification and planning. The issuance of construction and operating permits are coordinated with the OCRM for construction projects in the coastal counties.

OFFICE OF HEALTH REGULATIONS

The Division of Radioactive Material Licensing and Compliance is currently responsible for the licensing and inspection of specific radioactive material licensees and general licensees. South Carolina, as an Agreement State, has entered into a partnership with the U.S. Nuclear Regulatory Commission which allows the State to regulate the use of radioactive material at these facilities. This program is implemented by the Office of Health Regulations.

APPEALS

Final permit decisions may be adjudicated in accordance with SCDHEC Regulation R.61-72 (Procedures for Contested Cases), the State Administrative Procedures Act (South Carolina Code of Laws, 1976, Title I, Chapter 23), as well as the rules of the Administrative Law Judge Division. Adjudication of permits issued by the Office of Ocean and Coastal Resource Management are heard by the Coastal Appellate Panel. Adjudication of decisions on mining permits are heard by the SC Mining Council. Questions concerning the appeal process may be directed to the Department's legal office at (803)898-3350.

FEES

Fees are authorized by the Environmental Protection Fund Act, SC Code 48-2-10, et seq. and by specific programmatic statutes. In 1995, the South Carolina General Assembly passed a new regulation, R.61-30 Environmental Protection Fees, which establishes a program for the assessment and collection of fees for environmental programs administered by the Office of Environmental Quality Control and establishes schedules for timely action on permit applications. These schedules are intended as a management tool for the timely review of applications, and contain punitive measures requiring the department to return application fees if the schedules are not met in accordance with all the stipulations in the regulation. The regulation also establishes an appeals process to contest the calculation or applicability of the fees. This new regulation was formulated in accordance with Section 48-2-50 of the South Carolina Code.

NOTE: All projects may require a drinking water, stormwater, and/or wastewater construction permit. In addition to the permits listed below, other permits may apply to your specific project. This chart is not intended to supersede the need for a permit from any of the permitting program areas.

| PERMIT OR REGISTRATION REQUIRED | S. W. Used Oil Management | S. W. Handling | S. W. Handling Permit | S. W. Handling | S. W. Landfill Permit | S. W. Handling Permit | Inf. W. Permit/Transporter | H. W. Transporter Permit | H. W. Facility Permit | Groundwater Use Permit | U. S. T. Permit | 401: Water Qual. Cert. | NPDES | Air Quality (PSD) | Air Quality (Title V) | A.Q. Construction/Operating | A.Q. Reporting/Standards | OCRM Certification | Interbasin Transfer Permit | Mining & Reclamation Permit | Navigable Waters Permit | CZ Critical Area Permit | Rad. Waste Transport Permit | Underground Injection Permit | Dam Safety Permit |
|------------------------------------|---------------------------|----------------|-----------------------|----------------|-----------------------|-----------------------|----------------------------|--------------------------|-----------------------|------------------------|-----------------|------------------------|-------|-------------------|-----------------------|-----------------------------|--------------------------|--------------------|----------------------------|-----------------------------|-------------------------|-------------------------|-----------------------------|------------------------------|-------------------|
| TYPES OF DEVELOPMENT | | | | | | | | | | | | | | | | | | | | | | | | | |
| Agricultural Chemical Mfg. | | | | | | | | | " | | " | | ! | " | ! | ! | ! | " | | | | | " | | |
| Aircraft/Parts Mfg. | " | | | | | | | | | | | | " | " | " | " | ! | " | | | | | " | | |
| Apparel Mfg. | | | | | | | | | | | | | " | | " | " | ! | " | | | | | | | |
| Appliance Mfg. | | | | | | | | | | | | | " | | " | " | ! | " | | | | | | | |
| Aquaculture Prod. | | " | | | " | | | | | | | " | ! | | | | | ! | | | " | ! | | | |
| Asphalt Plant Oper. | | | | | | | | | | " | " | | ! | " | " | ! | ! | " | | | | | | | |
| Brick/Cement Mfg. | | | | | " | | | | " | | " | | ! | ! | " | ! | ! | " | | " | | | | | |
| Bridge/Highway Const. | | | | | | | | | | " | | ! | | | | | | ! | | | ! | " | | | |
| Building Construction | | | | | | | | | | | | " | | | | | | ! | | " | | " | | | |
| Cigarette/Tobacco Prod. Mfg. | | " | | | " | | | | | | " | | ! | | " | ! | ! | " | | | | | | | |
| Chemical Mfg. | | | | | | | | | " | " | " | | ! | " | ! | ! | ! | " | | | | | | | |
| Commercial Marina | " | | | | | | | | | " | ! | ! | " | | | | | ! | | | ! | ! | | | |
| Concrete Mfg. | | | | | " | | | | " | " | " | | ! | " | " | ! | ! | " | | | | | " | | |
| Converting Operations-Paper/Film | | " | | | | | | | " | | | | ! | " | " | " | ! | " | | | | | | | |
| Cosmetic/Detergent Mfg. | | | | | | | | | | ! | | | ! | " | " | ! | ! | " | | | | | | | |
| Dry Cleaners | | | | | | | | | | " | | | ! | | | " | ! | " | | | | | | | |
| Electrical Products Mfg. | | | | | | | | | " | | " | | ! | " | " | " | ! | " | | | | | | | |
| Electronic Component Mfg. | | | | | | | | | " | | " | | ! | " | " | ! | ! | " | | | | | " | | |
| Electroplating/Plating Operations | | | | | | | | | " | " | " | | ! | " | " | ! | ! | " | | | | | | | |
| Furniture Mfg. | | | | " | | | | | | | | | ! | " | " | ! | ! | " | | | | | | | |
| Fish Processing Facility | | " | | " | " | | | | | | | | ! | " | " | " | ! | ! | | | | " | | | |
| Food Processing Operations | | " | | " | " | | | | | " | | | ! | " | " | " | ! | " | | | | | | | |

| PERMIT OR REGISTRATION REQUIRED | S. W. Used Oil Management | S. W. Handling | S. W. Handling Permit | S. W. Handling | S. W. Landfill Permit | S. W. Handling Permit | Inf. W. Permit/Transporter | H. W. Transporter Permit | H. W. Facility Permit | Groundwater Use Permit | U. S. T. Permit | 401: Water Qual. Cert. | NPDES | Air Quality (PSD) | Air Quality (Title V) | A.O. Construction/Operating | A.O. Reporting/Standards | OCRM Certification | Interbasin Transfer Permit | Mining & Reclamation Permit | Navigable Waters Permit | CZ Critical Area Permit | Rad. Waste Transport Permit | Underground Injection Permit | Dam Safety Permit |
|------------------------------------|---------------------------|----------------|-----------------------|----------------|-----------------------|-----------------------|----------------------------|--------------------------|-----------------------|------------------------|-----------------|------------------------|-------|-------------------|-----------------------|-----------------------------|--------------------------|--------------------|----------------------------|-----------------------------|-------------------------|-------------------------|-----------------------------|------------------------------|-------------------|
| Foundry Operation | " | | | | | | | | | " | " | | ! | " | " | ! | ! | " | | | | | " | | |
| Gas Station | " | | | | | | | | | " | ! | | " | | | | | " | | | | | | | |
| Glass/Glassware Mfg. | | | | | | | | | ! | | " | | " | ! | ! | ! | ! | " | | " | | | " | | |
| Hazardous Waste Facilities | | | | | | | | " | ! | | " | | " | " | ! | ! | ! | " | | | | | " | | |
| Hospitals/Medical Facilities | | | | | | | " | | | | " | | " | " | " | ! | ! | " | | | | | ! | | |
| Impoundment | | | | | | | | | " | | | ! | | | " | | | ! | " | | ! | ! | | | " |
| Instrument/Optical Mfg. | | | | | | | | | | | | | " | " | " | " | ! | " | | | | | | | |
| Landfill | ! | " | " | | ! | | | | " | | | " | " | | " | " | ! | ! | | " | | | | | |
| Livestock Operation | | " | | | " | | | | | | | | " | | | | | | | | | | | | |
| Lumber/Sawmill Operations | | | | ! | ! | | | | | | | | ! | " | ! | ! | ! | " | | | | | | | |
| Machinery Mfg. | | | | | | | | | " | " | | | ! | " | ! | ! | ! | " | | | | | | | |
| Meat/Poultry Operation | | " | " | " | ! | | | | | | | | ! | " | " | ! | ! | " | | | | | | | |
| Metal Products Mfg. | | | " | | | | | | " | " | | | ! | ! | ! | ! | ! | " | | | | | ! | | |
| Military Bases | | | | " | " | " | | | ! | | ! | | ! | " | ! | ! | ! | ! | | | | | | | |
| Mining Operations | | | | | " | | | | " | " | " | " | ! | | " | ! | ! | ! | | ! | " | " | | ! | " |
| Miscellaneous Mfg. | " | " | " | " | " | " | | | " | " | " | | " | " | " | " | ! | " | | | | | | | |
| Motor Vehicle Mfg. | | | | | | | | | | " | " | | ! | ! | ! | ! | ! | " | | | | | | | |
| Municipal Incinerator | | | " | ! | | | | | " | | " | | " | ! | ! | ! | ! | " | | | | | | | |
| Municipal Wastewater | | " | | | | | | | | | | " | ! | | " | " | " | ! | " | | " | " | | | " |
| Municipal Water Supply | | | | | | | | | | | | " | ! | | | | | ! | " | | " | " | | | " |
| Paint/Coatings Mfg. | | | | | | | | | " | " | | | ! | " | " | ! | ! | " | | | | | | | |
| Paperboard Mills/Container Mfg. | | " | " | " | " | | | | | | " | | ! | " | " | ! | ! | " | | | | | " | | |

| PERMIT OR REGISTRATION REQUIRED | S. W. Used Oil Management | S. W. Handling | S. W. Handling Permit | S. W. Handling | S. W. Landfill Permit | S. W. Handling Permit | Inf. W. Permit/Transporter | H. W. Transporter Permit | H. W. Facility Permit | Groundwater Use Permit | U. S. T. Permit | 401: Water Qual. Cert. | NPDES | Air Quality (PSD) | Air Quality (Title V) | A.Q. Construction/Operating | A.Q. Reporting/Standards | OCRM Certification | Interbasin Transfer Permit | Mining & Reclamation Permit | Navigable Waters Permit | CZ Critical Area Permit | Rad. Waste Transport Permit | Underground Injection Permit | Dam Safety Permit |
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| Petroleum Refining | " | | | | | | | | ! | " | ! | | ! | ! | ! | ! | ! | " | | | | | " | | |
| Pharmaceutical Mfg. | | " | " | " | " | | " | | " | " | " | | ! | " | " | ! | ! | " | | | | | ! | | |
| Plastic/Paper Recycling | | | | | " | | | | " | " | | | ! | " | " | ! | ! | " | | | | | | | |
| Plastic Products Mfg. | | | | | " | | | | | " | | | " | " | " | " | ! | " | | | | | | | |
| Printing Operations | | | | | | | | | | | | | " | " | " | " | ! | " | | | | | | | |
| Pulp/Paper Mfg. | | | " | " | " | | | | | | | | ! | " | ! | ! | ! | " | " | | | | " | | |
| Quarry Operations | | | | | | | | | | " | | | ! | " | " | " | ! | " | | ! | | | | ! | |
| Residential and Commercial Devel. | | | | | | | | | | | | " | | | | | | " | | | | | | | |
| Resort/Golf Course | | " | | | | | | | | " | | " | ! | | | | | ! | | | | " | | | |
| Rubber Products Mfg. | | | " | " | " | | | | | ! | | | ! | " | " | ! | ! | " | | | | | | | |
| Salvage/Metal Recycling Facility | | | " | | | | | | ! | " | | | ! | " | " | ! | ! | " | | | | | " | | |
| Shoe/Leather Mfg. | | | | | " | | | | | | | | ! | | | " | ! | " | | | | | | | |
| Solid Waste Incineration | " | | " | ! | | | | | | " | | | " | ! | ! | ! | ! | " | | | | | " | | |
| Solid Waste Recycling/Composting | " | ! | | | | | | | | | | | " | | | " | ! | " | | | | | | | |
| Tank Farm | " | | | | | | | | | | ! | | ! | | " | " | ! | " | | | | | | | |
| Textile Dyeing/Finishing Operations | | | " | | " | | | | | | | | ! | " | " | ! | ! | " | | | | | | | |
| Textile Mfg. | | | | | | | | | | " | " | | ! | " | " | ! | ! | " | | | | | | | |
| Tire Mfg. | | | " | | " | | | | " | | | | ! | " | " | ! | ! | " | | | | | | | |
| Travel Trailers/Tank Mfg. | | | | | | | | | " | | | | " | | " | ! | ! | " | | | | | | | |
| Utility Company | " | | | | | | | | | | ! | ! | ! | ! | ! | ! | ! | ! | | | ! | " | ! | | |
| Wood Buildings/Mobile Home Mfg. | | | | | | | | | | " | | | " | | " | ! | ! | " | | | | | | | |
| Wood Products Operations | | | | | " | | | | " | | | | ! | ! | ! | ! | ! | " | | | | | | | |
| Yard Waste Composting Facility | | ! | | | | | | | | | | | " | | | | " | | | | | | | | |

! PROBABLE REQUIREMENT " POSSIBLE REQUIREMENT

OFFICE OF ENVIRONMENTAL QUALITY CONTROL

DEPUTY COMMISSIONER
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

ASSISTANT DEPUTY COMMISSIONER
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

MANAGEMENT
SERVICES DIVISION

RESEARCH AND
PLANNING DIVISION

HEALTH HAZARD
EVALUATION DIVISION

BUREAU OF LAND
AND WASTE
MANAGEMENT

BUREAU OF
WATER

BUREAU OF
AIR QUALITY

BUREAU OF
ENVIRONMENTAL
SERVICES

OFFICE OF ENVIRONMENTAL QUALITY CONTROL

SC Department of Health and Environmental Control

2600 Bull Street

Columbia, South Carolina 29201

(803) 896-8940

Fax: (803) 896-8941

<http://www.scdhec.net/eqc/>

BUREAU OF LAND AND WASTE MANAGEMENT



Solid and hazardous wastes in South Carolina are regulated by SCDHEC's Bureau of Land and Waste Management (BLWM) and the U.S. Environmental Protection Agency (EPA). The management of infectious waste is regulated by the Infectious Waste Management Section of the BLWM. The management of radioactive material is regulated by the Radioactive Waste Management Section of the BLWM. The management of underground storage systems are regulated by the Division of Underground Storage Tank Management, located in the BLWM. These groups administer programs created by the federal Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response Compensation and Liability Act (CERCLA) or Superfund, South Carolina Infectious Waste Management Act, the South Carolina Hazardous Waste Management Act, the South Carolina Solid Waste Management Act, and the Atomic Energy and Radiation Control Act.

The South Carolina Hazardous Waste Management Regulations, which closely follow the federal standards established under Subtitle C of RCRA, require permits for the transportation, storage, treatment, and disposal of hazardous wastes. In addition, facilities must demonstrate compliance with the South Carolina Hazardous Waste Management Location Standards. Any person who transports hazardous waste shipments which originate or terminate in the State of South Carolina must obtain a transporter's permit from the BLWM.

South Carolina is an Agreement State under Federal Law and as such has delegated authority for the management of radioactive materials. This authority, however, does not include licensing of nuclear power plants, nuclear fuel fabrication and reprocessing facilities, agencies of the federal government (e.g., U.S. Department of Energy), nor special nuclear materials in excess of 350 grams.

The South Carolina Infectious Waste Management Regulations set standards for the storage, transportation, and treatment of regulated infectious wastes. All infectious waste intermediate handling facilities and treatment facilities (except those eligible for permit by rule) must apply for and receive a permit. Transporters are required to register and meet minimum standards for vehicle marking and insurance.

The South Carolina nonhazardous Solid Waste Management Regulations set standards for the siting, design, construction, operation, closure, and post-closure care of solid waste management facilities. The types of facilities described in the regulations include construction, demolition, and land-clearing debris landfills; municipal solid waste and municipal incinerator ash landfills; industrial landfills; waste tire storage, collection, processing and disposal facilities; municipal solid waste processing and transfer facilities; municipal solid waste collection, storage, and transportation facilities; municipal solid waste incineration facilities; research, development, and demonstration projects; used oil processors, refiners, off-specification burners and fuel marketers; and other facilities of similar types. Lead acid battery handlers; yard trash composting operations; waste tire haulers; used oil collection centers/aggregation points, and used oil transporters and transfer facilities are required to be registered. The South Carolina Solid Waste Management Regulations for municipal solid waste landfills follow federal standards established under Subtitle D of RCRA.

All applications for a solid waste permit to operate a commercial solid waste facility must contain a letter of consistency with the county plan from the county in which the facility will be located. The applicant must also provide and show documentation of financial assurance for the closure and post-closure care of the facility. In addition, a disclosure statement about the owners and operators may be required with the application.

The South Carolina Mining Act requires a permit to ensure the environmental protection, public safety and reclamation of all lands and waters involved in mining activities. Within the BLWM, mining activities are permitted and regulated through the Division of Mining and Reclamation.

SCDHEC BLWM is responsible for adopting and enforcing regulations relating to the registration of terminal facilities and cleanup removal of discharges (spills) of pollutants into the waters or onto the coasts of the state.

The BLWM has the responsibility for regulating underground storage tanks (USTs) in the State. Leaking USTs constitute the single most frequent source of groundwater contamination across the state. The permitting process was developed to assist UST owners by ensuring that new UST systems are installed in accordance with the regulations and industry standards to minimize the potential for failure.

The South Carolina Underground Storage Tank Control Regulations (SCUSTCR) establish a two part permitting process for UST systems. First, a Permit to Install must be obtained prior to the installation of any system. Secondly, a Permit to Operate must be obtained after installation, but prior to operation of the system. SCUSTCR sets standards for the design, construction, operation and closure of UST systems which closely follow the federal regulations established under Subtitle I of the RCRA. Subtitle H also specifies the financial responsibility requirements of UST owners and operators. Any person planning to install a UST system should contact the Underground Storage Tank Regulatory Compliance Division of the Underground Storage Tank Program, for the appropriate permit applications, regulations and other information regarding the permitting process.

1. HAZARDOUS WASTE FACILITY PERMITTING

APPLICABILITY

Permits are required for facilities that store hazardous wastes beyond their allowed accumulation periods, treat hazardous wastes, dispose of hazardous wastes, or conduct post-closure monitoring and remediation associated with past (but after the effective date of the regulations) hazardous waste activities. For new facilities, a permit is required prior to construction of the facility. Part A of a two part permit application is required to be submitted for existing facilities to continue operating prior to permit issuance.

AUTHORITY STATUTE(S)

Resource Conservation and Recovery Act, 42 U.S.C. 6901, et. seq., "Superfund," (or Comprehensive Environmental Response, Compensation and Liability Act), 42 U.S.C. 9601. SC Hazardous Waste Management Act, Title 44, Chapter 55 and 56, SC Code of Laws, 1976, as amended.

REGULATION(S)

Fed. Reg. 40 CFR, SC R.61-79, and SC R.61-104.

TERM(S)

Permits may be issued for a period not to exceed ten (10) years. Note however, that the permit may be issued for a duration less than the full allowable term. Special terms apply to emergency permits, and research and development permits.

FEE(S)

There is an annual fee of \$600.00 for hazardous waste management facilities.

APPLICATION PROCESS

A permit application for a facility consists of two parts, Part A and Part B. Part A consists of the RCRA Part A Permit Application (EPA Form 8700-23 or latest version). There is no form for Part B of the application; rather, Part B must be submitted in narrative form and contain the information set forth in the applicable Sections 270.14 through 270.29 of the SC Hazardous Waste Management Regulation R.61-79, and conform to requirements of facility location standards as set forth in Regulation 61-104.

After a Part B permit application has been determined to be complete, a tentative permit decision will be issued by the Department. The permit application will be subject to a 45-day public notice review period and, if requested, a public hearing before a final decision is made concerning the permit.

GENERAL REQUIREMENTS OF A PERMIT

The general requirements of a permit include standards and procedures for proper operation and maintenance, design and construction requirements, personnel training and emergency response requirements, performance criteria, closure and post-closure care, and financial responsibility. For facilities requiring corrective action at a contaminated site, quarterly and yearly reports may be required to assess the effectiveness of the action. Other reports and monitoring may be required on a site-by-site basis.

2. HAZARDOUS WASTE TRANSPORTER PERMITTING

APPLICABILITY

Permits are required for any person or business that transports hazardous waste shipments that originate or terminate in the State of South Carolina.

AUTHORIZING STATUTE(S)

Resource Conservation and Recovery Act, 42 U.S.C. 6901, et. seq. SC Hazardous Waste Management Act, Title 44, Chapter 56, SC Code of Laws, 1976, as amended.

REGULATION(S)

Fed. Reg. 40 CFR, and SC R.61-79.

TERM(S)

Varies up to 3 years.

FEE(S)

No fee.

APPLICATION PROCESS

A permit application for a transporter permit consists of a notification and documentation of financial responsibility for sudden and accidental occurrences. Upon demonstration of compliance with the application requirement, the Department will assign an identification number to the transporter.

GENERAL REQUIREMENTS OF A PERMIT

Each transporter shall demonstrate compliance with all federal and state hazardous waste management regulations, including applicable SC Public Service Commission Regulations, Federal Department of Transportation Regulations, and manifest accounting procedures which are designed to track the waste from the generator, to the transporter, to final disposal.

3. INFECTIOUS WASTE FACILITY PERMITTING AND TRANSPORTER REQUIREMENTS

APPLICABILITY

Permits are required for all infectious waste intermediate handling facilities and treatment facilities (except those eligible for permit by rule). Each transporter or transfer facility operator must register and receive an identification number from the BLWM.

AUTHORIZING STATUTE(S)

SC Infectious Waste Management Act, Chapter 93 of Title 44 of the 1976 Code of Laws, as amended.

REGULATION(S)

SC R.61-105.

TERM(S)

Intermediate handling facilities and treatment facilities permits may be issued for a permit for up to 5 years. Transporters must register annually with the BLWM.

FEE(S)

| | |
|--|--------------|
| Permit-by-Rule: | No fee |
| Permitted Treatment Facility: | \$30.00/ton |
| Transporter Registration: | \$25.00/year |
| Permit Application, Registration, and Authorization: | \$25.00 |

APPLICATION PROCESS

A permit application shall include complete construction plans and specifications

detailing the exact configurations, locations, elevations, dimensions and construction and installation procedures for all structures, equipment, and site modifications, and the strategy for site monitoring. In addition, a standard operating procedure manual, financial responsibility documents, and other pertinent information as outlined in the regulation must be provided. Before a permit application can be considered for a treatment facility, the applicant must demonstrate a need for such a facility.

Permit-by-rule facilities must notify the Department in writing that the facility is operating and supply pertinent information.

Transporters and transfer facilities must provide a copy of their infectious waste management plan and documentation of financial responsibility prior to obtaining an identification number.

GENERAL REQUIREMENTS OF A PERMIT

The owner or operator of a permitted facility must conform to appropriate design and operation standards for the type of facility. Logs and other records of operating data and test results must be maintained by the facility.

4. RADIOACTIVE WASTE FACILITY PERMITTING AND TRANSPORTER REQUIREMENTS

APPLICABILITY

Radioactive material/waste licenses are required for all facilities that receive, use, transfer, or dispose of any radioactive materials and radioactive waste. The radioactive waste transport regulation requires any shipper or other person who transports radioactive waste into or within this State, and to any persons whose activities result in the generation of radioactive waste to obtain a transport permit.

The licenses and permits listed below are issued by the Division of Radioactive Waste Management, Bureau of Solid and Hazardous Waste Management. Other types of licenses such as medical and industrial licenses (not listed in this booklet) are issued by the Bureau of Radiological Health.

AUTHORIZING STATUTE(S)

42 U.S.C. 2021(b), et. seq., section 274, Public Law 83-703, Atomic Energy Act of 1954, as amended. Section 13-7-10 et. seq., 1976 SC Code of Laws (as amended), the SC Radioactive Waste Transportation and Disposal Act. Section 13-7-40 et. seq., 1976 SC Code of Laws (as amended), Atomic Energy and Radiation Control Act.

REGULATION(S)

SC R.61-63 and R.61-83.

TERM(S)

Radioactive material/waste licenses are issued for a five-year period unless otherwise specified for a lesser time. Transport permits are renewable annually.

FEE(S)

License fees are invoiced on issuance of the license, and transport permit fees are required upon application.

Type License

| | | |
|---|----|----------------------|
| 1. Low-Level Radioactive Waste Disposal: | \$ | 275,000.00 |
| 2. Radioactive Material Manufacturing/Processing: | \$ | 20,000.00 |
| 3. Low-Level Waste Consolidation: | \$ | 25,000.00 |
| 4. Low-Level Waste Processing: | \$ | 10,000.00/ 50,000.00 |
| 5. Decontamination Facilities: | \$ | 3,000.00 |
| 6. Test Reactor (Decommissioned): | \$ | 500.00 |
| 7. Large Quantity Source Material: | \$ | 500.00 |
| 8. Laboratories: Commercial/Medical: | \$ | 100.00 |
| 9. All Other: | \$ | 100.00 |

Type Transport Permits

| | | |
|--|----|---------|
| x. Annually greater than 75 cubic feet: | \$ | 1500.00 |
| y. Annually less than 75 cubic feet: | \$ | 200.00 |
| z. Combination of x and y but not for disposal within state: | \$ | 100.00 |

5. SOLID WASTE LANDFILL PERMITTING

APPLICABILITY

All disposal facilities must receive a written permit from the Department. This includes municipal solid waste and municipal ash landfills; construction, demolition, and land-clearing debris landfills; and industrial waste landfills, public or private.

AUTHORIZING STATUTE(S)

Resource Conservation and Recovery Act, Subtitle D, 42 U.S.C. 6901, et. seq.
SC Pollution Control Act, Title 48, Chapter 1. Solid Waste Management Act,
Title 44, Chapter 96 of the 1976 Code of Laws of SC, as amended.

REGULATION(S)

SC R.61-71, R.61-107.258, R.61-107.11, and R.61-107.13.

TERM(S)

The term of the permit is limited to the design and operational life of the facility. However, there is a review of the permit at least once every five (5) years.

FEE(S)

None

APPLICATION PROCESS

The application process begins with the submission of hydrogeologic site characterization information, which must be reviewed and approved by the BLWM. Following this, an application package is submitted which includes complete construction plans and specifications detailing the exact configurations, locations, elevations, dimensions, and construction and installation procedures for all structures, equipment, and site modifications, and the strategy for site monitoring, if applicable. Also, the application package must include a letter of consistency with the county/regional solid waste management plan from the county in which the landfill will be located, as well as a letter stating that the proposed site is properly zoned.

GENERAL REQUIREMENTS OF A PERMIT

The general requirements of a permit include the conformance of siting, design, operation, closure and post-closure requirements in the regulations. Privately owned or operated facilities must maintain compliance with the financial assurance requirements. Publicly owned municipal solid waste landfills must comply with financial assurance requirements.

6. SOLID WASTE HANDLING FACILITY PERMITTING

APPLICABILITY

Permits are required for nonhazardous municipal solid waste incinerators, waste collection facilities, tire processing and disposal facilities, research development and demonstration facilities, processing facilities, solid waste transfer stations, and used oil processors, refiners, off-specification burners and fuel marketers. Lead acid battery collection facilities, yard trash composting and chipping/shredding facilities, waste tire haulers, used oil collection centers/aggregation points, and used oil transporters and transfer facilities are required to be registered.

AUTHORIZING STATUTE(S)

SC Pollution Control Act, Title 48, Chapter 1. SC Solid Waste Management Act, Title 44, Chapter 96 of the 1976 Code of Laws of SC, as amended.

REGULATION(S)

SC R.61-107.3, R.61-107.4, R.61-107.6, R.61-107.7, R.61-107.8, R.61-107.10, R.61-107.11, R.61-107.12, R.61-107.16, and R.61-107.279.

TERM(S)

The term of the permit is limited to the design life of the facility with a review occurring at least once every five (5) years.

FEE(S)

None

APPLICATION PROCESS

A permit application shall include complete construction plans and specifications detailing the exact configurations, locations, elevations, dimensions and construction and installation procedures for all structures, equipment, and site modifications, and the strategy for site monitoring. In addition, financial responsibility documents and other pertinent information as outlined in the regulation are required. Also, the application package must include a letter of consistency with the county/regional solid waste management plan from the county in which the facility is located.

GENERAL REQUIREMENTS OF A PERMIT

The general requirements of a permit include standards and procedures for proper operation and maintenance, design and construction requirements. Financial responsibility for private facilities must be maintained during the life of the permit.

7. MINING AND RECLAMATION PERMITTING

APPLICABILITY

A mining permit is required for any person or business that extracts or removes ores or mineral solids from the ground for sale or processing or consumption in the regular operation of a business. In order to operate a mine, a person or business must apply for either an individual mine operating permit or for coverage under a general mine operating permit. All permitted mining operations must have an approved reclamation plan providing for the restoration of mined lands to a useful and productive purpose.

AUTHORIZING STATUTE(S)

SC Mining Act, Title 48, Chapter 20, SC Code of Laws, 1976, as amended.

REGULATION(S)

SC R.89-10 through R.89-350.

TERM(S)

An individual mine operating permit is issued for the proposed "life of the mine" and remains valid unless terminated or revoked. Mines operating under the general mine operating permit must reapply every two years.

FEE(S)

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|-------------------------------|----------|
| Application Fee: | \$500.00 |
| Substantial Modification Fee: | \$250.00 |

| | |
|------------------------|----------|
| Permit Conversion Fee: | \$250.00 |
| Permit Transfer Fee: | \$100.00 |
| Annual Operating Fee: | \$125.00 |

APPLICATION PROCESS

To apply for a mining permit, an applicant must submit the following: a) Application for a Mining permit (Form MR-400); b) Reclamation Plan (Form MR-500); c) Land Entry Agreement for Land Owned or Leased by Operator (Form MR-600 or MR-700); d) letter from attorney attesting to ownership of property, ownership of mineral rights and operator rights to mine property; and e) two copies of a mine plan map and reclamation map. An "intent to mine" notice is advertised in a local or regional newspaper once a week for two weeks followed by a fifteen-day comment period. If requested by ten or more individuals or by a public entity, a public hearing will be held. A hearing notice must be given 30 days prior to the hearing. Following a review of the application, completion of an environmental appraisal, and evaluation of supplemental information and comments, a permit decision will be rendered. If the permit application is approved, the applicant must post a reclamation bond within 60 days. Once a properly executed reclamation bond is received, the mining permit is issued. An appeal of a mining permit decision must be submitted to the SC Mining Council within 30 days following a written determination of action (approval, denial, terms and conditions, etc.) on a mining permit.

The general mine operating permit was issued in 1998 to cover sand/clay and topsoil mines that are less than five (5) acres size. To apply to mine under the general mine operating permit the applicant must submit MR-400GP and pre-pay the two years of the annual operating fee. If an operator is approved to mine under the general mine operating permit, they must comply with the limitation stated in the permit and reclaim the site in accordance with the approved reclamation plan.

GENERAL REQUIREMENTS OF A PERMIT

The mining permit includes standards and specifications to be implemented to ensure protection of the surrounding environment and the reclamation of the land affected by mining. During and following mining, an approved reclamation plan must be implemented on a predetermined schedule. This involves developing and installing practices related to on-site water management, erosion and sediment control, overburden management, soil stability, visual screening, fugitive emissions, public safety and the establishment of a vegetative cover. An annual reclamation report is required to be submitted each fiscal year. Other reports and monitoring may be required on a site-by-site basis.

8. CERTIFICATE TO EXPLORE FOR MINERALS

APPLICABILITY

A certificate of exploration is required for mineral exploration activities affecting two acres or less and involving the development of open pits, trenches, open cuts or tunneling to determine the location, quantity or quality of a mineral deposit. If the exploration activity affects over two acres, a mine operating permit is required.

AUTHORIZING STATUTE(S)

SC Mining Act, Title 48, Chapter 20, SC Code of Laws, 1976, as amended.

REGULATION(S)

SC R.89-50.

TERM(S)

Certificate valid up to 2 years.

FEE(S)

Certificate of Exploration Fee: \$125.00

APPLICATION PROCESS

To apply for a certificate of exploration, an explorer must submit the following: a) Application for a Certificate of Exploration (Form MR-200) and b) Reclamation Plan for Exploration (Form MR-300). The application for a certificate of exploration and related information is considered as proprietary business information of the applicant, therefore, there are no public notice requirements or provisions for public hearings. If additional information is not requested or the application is not denied within fifteen calendar days following receipt, the application is considered approved. Once the application is approved, a reclamation bond in the amount of \$2500.00 must be posted within 60 days by the explorer. A certificate of exploration will be issued following receipt of the reclamation bond. An appeal of a certificate decision must be submitted to the SC Mining Council within 30 days following a written determination of action (approval, denial, terms and conditions, etc.) on a certificate.

GENERAL REQUIREMENTS

The certificate of exploration includes standards and best management practices to be implemented to ensure protection of the surrounding environment and reclamation of the area affected by exploration activities.

9. TERMINAL FACILITY REGISTRATION

APPLICABILITY

The Act is applicable to the operation and inspection of terminal facilities and associated vessels, methods for reporting spills, development of contingency

plans, creation of a State Emergency Response Team, and for reporting of discharge potential by ships' captains as they enter South Carolina ports.

AUTHORIZING STATUTE(S)

Pollution Control/Oil and Gas Act 197 of 1977. 1976 SC Code of Laws, Title 48, Chapter 43, Section 510.

TERM(S)

Certificates are issued on a yearly basis.

FEE(S)

\$250.00 per facility per year.

APPLICATION PROCESS

Processing is coordinated with SCDHEC (BLWM and Bureau of Water). No public hearings are required. The applicant must submit information addressing:

1. The barrel or other measurement capacity of the terminal facility.
2. All prevention, containment, and removal equipment, including, but not limited to, vehicles, vessels, pumps, skimmers, booms, chemicals, and communication devices to which the facility has access, whether through direct ownership or by contract or membership in an approved discharge cleanup organization.
3. The terms of agreement and operation plan of any discharge cleanup organization to which the owner or operator of the terminal facility belongs. Owners and operators must give evidence of financial responsibility in the sum of \$14 million by insurance, a surety bond, or other acceptable evidence.

GENERAL REQUIREMENTS FOR A PERMIT

No person may operate a waterfront or offshore facility or pipeline without a registration certificate. A vessel engaged in ship-to-ship transfer or ship-to-shore transfer is also considered a terminal facility. The applicant must give evidence he has implemented state and federal plans and regulations for the prevention, control, and abatement of spills of oil, gasoline, pesticides, ammonia, chlorine, and derivatives thereof before receiving a certificate.

10. OIL AND GAS EXPLORATION, DRILLING, TRANSPORTATION, AND PRODUCTION

APPLICABILITY

The Act applies to all oil and gas exploration, drilling, transportation and

production activities occurring within the jurisdictional limits of the state. The purpose is to prevent waste of oil and gas, to protect the correlative rights and to prevent pollution of the water, air, and land by oil or gas exploration or production activities. Included in the scope of the act are natural gas recovery systems from solid waste landfills. Permits are required for exploration, drilling, and transportation.

AUTHORIZING STATUTE(S)

SC Oil and Gas Exploration, Drilling, Transportation and Production Act, Title 48, Chapter 43 SC Code of Laws, 1976, as amended.

REGULATION(S)

SC R.121-8

TERM(S)

Exploration Permits are valid for the life of the project.

Drilling Permits expire one (1) year from the issuance of same if spudding operations have not begun. If spudding operations have begun, the permit may be extended for a period of time reasonably necessary to complete drilling operations.

Transportation Permits for oil and gas pipelines are valid for the life of the project, however, are subject to annual permit compliance review.

FEE(S)

Exploration Permits: \$50.00

Drilling Permits: \$20,000 to \$50,000 bond per well
depending upon depth

\$100,000 bond per well on submerged lands

Transportation Permits: No Fee

APPLICATION PROCESS

To apply for an oil and gas exploration or well drilling permit, the applicant must complete an Affidavit of Ownership and an Organizational Report in addition to the specific application.

To apply for an oil & gas exploration permit the applicant needs to meet the informational requirements listed in R.121-8.4 and include the permitting fee.

To apply for an oil & gas well drilling permit the applicant needs to submit a completed well drilling application form for review and approval by the

Department and satisfy the bonding requirements. Wells covered by the well drilling permit include exploratory (or wildcat) wells and wells installed to recover methane gas from solid waste landfills for the purpose of energy recovery. All drilling and spudding operations must be completed in accordance with the specific requirements of R.121-8. A public hearing may be held at the request of an interested party or at the discretion of the Department.

GENERAL REQUIREMENTS OF A PERMIT

The general requirements of a permit include standards and procedures for proper installation, spacing, operation and maintenance, and abandonment of oil and gas production wells. The results of all well, production, transport, storage, and refinery records for all oil and gas produced within the State are considered public information.

11. UNDERGROUND STORAGE TANK PERMITTING

APPLICABILITY

All facilities installing underground storage tank (UST) systems designed to store regulated substances must obtain a Permit to Install and a Permit to Operate. Regulated substances include petroleum products and substances defined in Section 101(14) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) of 1980, but does not include any substance regulated as a hazardous waste under the Resource Conservation and Recovery Act (RCRA), Subtitle C. Specific regulated tanks are listed in the South Carolina Underground Storage Tank Control Regulations.

AUTHORIZING STATUTE(S)

Resource Conservation and Recovery Act (RCRA), Subtitle I (42 U.S.C., Sec. 6901, et. seq.). SC State Underground Petroleum Environmental Response Bank (SUPERB) Act (SC Code of Laws, 1976, Title 44, Chapter 2).

REGULATION(S)

40 CFR Parts 280 and 281, SC R.61-92.

TERM(S)

Permits to Install are valid for 1 year. Permits to Operate are valid for the life of the system.

FEE(S)

There is an initial registration fee of \$100.00 per tank and an annual renewal fee of \$100.00. The initial registration fee is assessed when the Permit to Operate is issued.

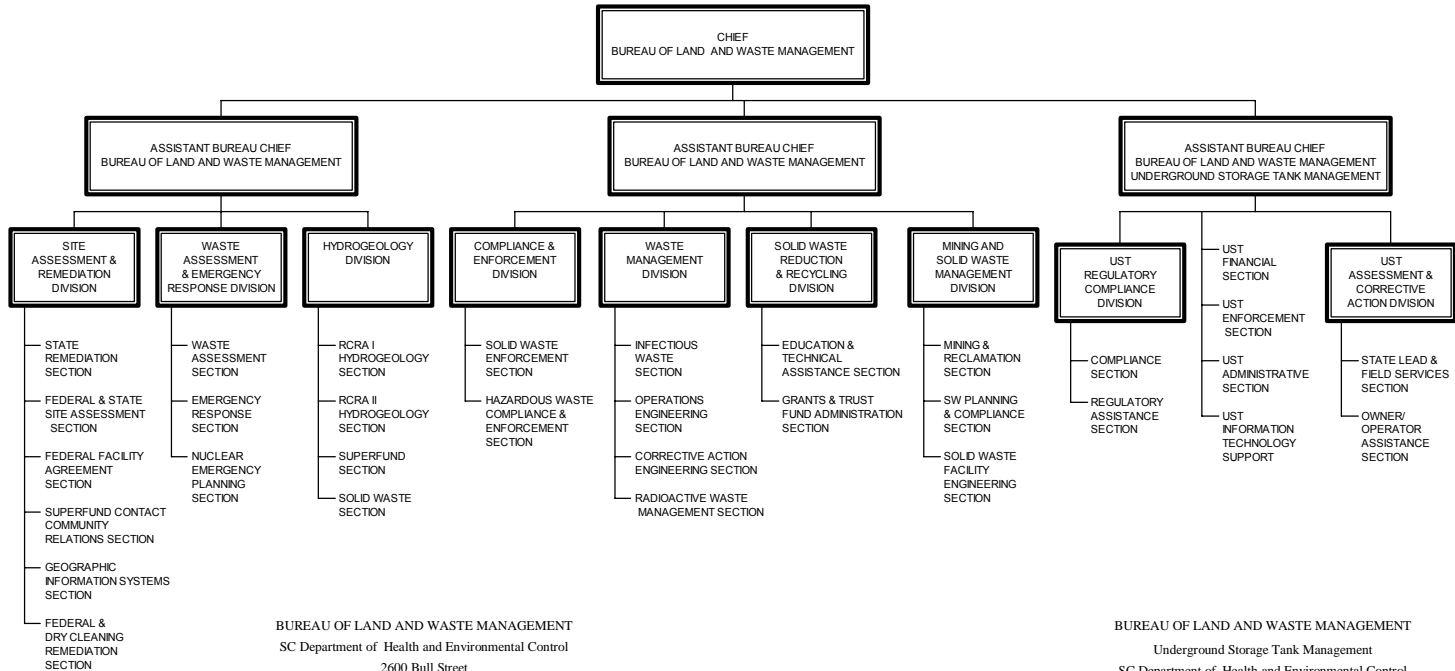
APPLICATION PROCESS

The process requires the submittal by the UST owner of an Application for Permit to Install (SCDHEC Form 2101). Upon Departmental review and approval, a Permit to Install will be issued. Upon completion of the installation of the UST system and precision tightness testing, the UST owner must submit an Application for Permit to Operate (SCDHEC Form 1959). Upon Departmental approval, a Permit to Operate will be issued.

GENERAL REQUIREMENTS OF A PERMIT

Each Permit must comply with the construction, installation and general operating requirements as set forth in the SC Underground Storage Tank Control Regulations.

BUREAU OF LAND AND WASTE MANAGEMENT



BUREAU OF LAND AND WASTE MANAGEMENT
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201
(803) 896-4000
Fax: (803) 896-4001
<http://www.scdhec.net/lwm/>

BUREAU OF LAND AND WASTE MANAGEMENT
Underground Storage Tank Management
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201
(803) 898-4350
Fax: (803) 898-4330
<http://www.scdhec.net/ust/>

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BUREAU OF WATER



Water pollution and drinking water systems in South Carolina are regulated by SCDHEC Bureau of Water (BW), and the U.S. Environmental Protection Agency (EPA). EQC has merged the Bureau of Water Pollution Control and the Bureau of Drinking Water Protection to form the BW. The Federal Clean Water Act along with the State's Pollution Control Act provide primary statutory authority to limit wastewater discharges to acceptable levels. EPA has delegated the Federal aspects of this program to the SCDHEC. EPA continues to maintain oversight of the program. In the same way, SCDHEC operates programs under the Federal Safe Drinking Water Act.

The BW has responsibility for a variety of permits, approvals and certifications related to water pollution control, and the protection of our drinking water supply. The following pages summarize the primary permits and approvals that may be required.

Water Pollution Control

New industries usually dispose of wastewater through direct discharge permits or through discharges to municipal wastewater systems. In the latter case, the applicant

should contact the municipality for approval to discharge and to determine any pretreatment requirements. Permits to construct wastewater facilities — e.g., transportation and treatment systems — are required as well.

A permit from the local Health Department must be obtained prior to the construction of any septic system. Please contact this office for details.

Water Quality Certifications in accordance with Section 401 of the Federal Clean Water Act insure that any activity requiring a Federal permit or license and which may result in a discharge to navigable waters will not cause contravention of the State water quality standards. Activities generally requiring water quality certification are permitted by the U.S. Army Corps of Engineers, the U.S. Coast Guard, and the Federal Energy Regulatory Commission. The BW provides certifications to these permitting agencies.

Supervision of the sanitary quality of shellfish, crab, and alligator meat products offered for sale in South Carolina or shipped in interstate commerce is necessary to protect public health. This is also regulated by the BW.

The Water Quality Act (WQA) of 1987 added Section 402(p)(2) of the CWA to require the EPA to establish regulations setting forth NPDES permit application requirements for storm water discharges. The BW is responsible for issuing storm water NPDES permits in the State of South Carolina. General storm water permits can be obtained for construction and industrial activities. State storm water permits for erosion and sediment control and flood control are required for construction that disturbs two (2) or more acres.

Drinking Water Protection

The State Safe Drinking Water Act requires that prior to the construction of a new or the modification or expansion of an existing public water system, a permit to construct must be obtained from the Department. This includes the construction of a well, a groundwater or surface water treatment plant and distribution piping, used for the purpose of supplying drinking water to the public. Such distribution piping would include a service connection for anything other than a single residence or single public building. For example, an industry which consists of multiple buildings with a service connection to an existing public water system would be required to apply for a permit to construct the on-site distribution piping. Any person wishing to construct, modify or expand a public water system should contact the Water Facilities Permitting Division to obtain an application form, regulations and other information concerning the permitting process.

Prior to construction of an individual residential well for drinking water, or irrigation well for lawns, gardens, or agriculture, a Notice of Intent is to be submitted to the

Department. This notice can be submitted by the well owner, his agent, or certified well driller. In addition to the Notice of Intent, the well driller is to provide the local EQC District the date and time that construction of the well will begin 48 hours prior to construction. This will provide the opportunity for a Department inspector to observe construction of the well. However, a Department inspection is not necessary for the well to be placed into operation. In emergency situations, the Notice of Intent can be submitted 24 hours after construction of the well.

Underground injection refers to the emplacement of fluid into the subsurface or groundwater by means of a well. A permit to construct and operate such a facility is required by law. Injection of fluids containing wastes or contaminants is specifically prohibited. Applications for injection well construction are reviewed by the Department and, upon finding the application approvable, a draft construction permit is prepared along with a statement of basis. For major facilities, a fact sheet is prepared and a public notice of intent to issue the construction permit is posted. A final construction permit decision is issued after the public comment period. After construction, a final inspection and operating approval are required prior to commencement of any underground injection as regulated by the Department. Any person planning to install an underground injection facility should contact the Water Monitoring, Assessment, and Protection Division of the Bureau for the appropriate permit applications, regulations and other information regarding the permitting process.

The Department is responsible for regulating groundwater use in the Waccamaw Capacity Use area (Horry, Georgetown Counties and the neck of Marion County) and the Low Country Capacity Use area (Beaufort, Jasper, and Colleton Counties). These two areas have been under management for approximately sixteen (16) years. To date, substantial progress has been made in water use records, conservation, alternative sources, and the hydrogeological framework which serves as a base for technical decisions.

The Groundwater Use Act of 1969 established Legislation for the declaration of Capacity Use Areas where the department finds that the groundwater resource is in danger of being depleted. A designated Capacity Use area is subject to reasonable regulation in order to conserve the resource and to provide and maintain conditions which are conducive to the development and use of the groundwater resource. Any person planning to develop a groundwater source in a designated Capacity Use area should contact the Water Facilities Permitting Division of the Bureau for the appropriate permit applications, regulations and other information regarding the groundwater use permitting process.

The Department is responsible for protecting public health and safety by regulating the construction and operation of all public swimming facilities in the State. The Recreational Waters Act and the Public Swimming Pools Regulation require that prior to the construction of a new or the modification or expansion of any existing

swimming pool, a permit to construct must be obtained from the Department. Any person wishing to construct or alter a public swimming pool should contact the Water Facilities Permitting Division to obtain an application form, regulations and other information concerning the permitting process.

The Department is responsible for administering Act No. 90 of 1985, which regulates the transfer of water between 15 river basins within the State. The purpose of the Interbasin Transfer Program is to protect existing and future water uses in the losing river basin from such transfers. These uses include off stream withdrawals, in stream uses, assimilative needs and water quality.

Over the years, numerous interbasin transfers have been developed in South Carolina, having been authorized through special legislative acts by the General Assembly. Today, these transfers comprise a major component of the municipal water use in the State.

1. WASTEWATER DISCHARGE (NPDES) AND LAND APPLICATION PERMITTING

APPLICABILITY

Any person wanting to discharge wastewater to surface waters — which includes discharges to wetlands — or to land, must first obtain a permit from the BW. Public and private sanitary wastewater dischargers receive permits from the Water Facilities Permitting Division, while industrial and all other dischargers receive permits from the Division of Industrial, Agricultural, and Stormwater Permitting. Discharges to surface waters receive National Pollutant Discharge Elimination System (NPDES) permits, while discharges via land-based systems (e.g., irrigation) receive state land application permits.

AUTHORIZING STATUTE(S)

Federal Water Pollution Control Act of 1972 (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-217) as amended by the Water Quality Control Act of 1987 (P.L. 100-4). [U.S.C. 1251 et. seq.]. SC Pollution Control (SC Code of Laws, 1976, Title 48, Chapter 1.

REGULATION(S)

SC R.61-9.

TERM(S)

Permits are typically issued for a maximum term of five years for NPDES and ten years for land application permits.

FEE(S)

Annual operating fees for both major and minor facilities must be calculated based on the previous year's actual flow except for MS4. The amounts are provided as

follows:

| | |
|--|---------|
| Major Facility (Flow Greater Than 1,999,999 gal/day) | \$1,600 |
| Major Facility (Flow 1,000,000-1,999,999 gal/day) | \$1,200 |
| Minor Facility (Flow 500,000-999,999 gal/day) | \$1,000 |
| Minor Facility (Flow 100,000-499,999 gal/day) | \$ 800 |
| Minor Facility (Flow 50,000-99,999 gal/day) | \$ 600 |
| Minor Facility (Flow 0-49,999 gal/day) | \$ 400 |

Multiple Discharge Facilities - Minimum charge of \$1,200 plus \$600/pipe for the number of pipes greater than five.

Coverage under General Permit (except for MS4 General Permit) \$ 75

APPLICATION PROCESS

A permit application requires the proposed discharger to supply information to the SCDHEC, such as discharge location, type of manufacturing operation (for industries), wastewater characterization, etc. Upon completion of required information, the applications are submitted to the SCDHEC for review. A permit is drafted based on any applicable guidelines/regulations and/or water quality considerations. Appropriate limitations are proposed in the permit to adequately protect water quality and human health. A copy of the draft permit is provided to the proposed discharger for review and comment.

Once a proposed discharger, EPA (in the case of most NPDES permits) and the appropriate EQC District Office have had an opportunity to comment on the proposed permit limitations and conditions, a public notice is placed in a newspaper of general circulation in the area of the proposed site and notices are placed near the proposed site. Comments are accepted for 30 days after the public notice. A public hearing may be requested by any interested or affected party. If needed, a hearing notice must be given 30 days prior to the hearing. Once the SCDHEC issues the permit, the applicant or any interested affected party has 15 days to appeal the permit before it becomes effective.

GENERAL REQUIREMENTS OF A PERMIT

An operator of proper grade must be provided to operate and maintain the facility. The level of operator will be stated in the permit. Permits to construct are generally subject to the issuance of the permit. Easements must be obtained from property owners, if wastewater crosses their property from the permittee facility in reaching waters of the State.

2. STATE CONSTRUCTION PERMITTING

APPLICABILITY

Permits are required to construct wastewater transportation and treatment

facilities, including industrial pretreatment facilities. Examples of projects which need a permit include but are not limited to:

- ▶ Building a new sewer line
- ▶ Expanding an existing pump station
- ▶ Upgrading a wastewater treatment system
- ▶ Building a new pretreatment system
- ▶ Adding sludge management systems

While some individual service connections do not require a permit to construct, most construction activities for wastewater systems must receive both a permit to construct and an approval to place the system into operation.

AUTHORIZING STATUTE(S)

SC Pollution Control Act (SC Code of Laws, 1976, Title 48, Chapter 1).

REGULATION(S)

SC R.61-67.

TERM(S)

Not applicable

FEE(S)

A. Pretreatment Systems:

- | | |
|---|--------|
| 1. Oil/Water separators or Air Stripper systems | \$ 200 |
| 2. All other Pretreatment Systems | \$ 600 |

B. Collection Systems:

- | | |
|---|--------|
| 1. Nondelegated Program | |
| 1,000 ft. or less | \$ 100 |
| 1,001 to 9,999 ft. | \$ 200 |
| 10,000 ft. or greater (or includes pump station design) | \$ 350 |
| 2. Delegated Program | \$ 75 |

C. Wastewater Treatment Facilities:

- | | |
|--|--------|
| 1. Major Facilities (1,000,000 GPD or Greater) | |
| New | \$1050 |
| Expansion | \$ 800 |
| Modification w/o Expansion (engineering review) | \$ 550 |
| Modification w/o Expansion (no engineering review) | \$ N/A |
| 2. Minor Facilities (0 to 999,999 GPD) | |
| New | \$ 700 |

| | |
|--|--------|
| Expansion | \$ 550 |
| Modification w/o Expansion (engineering review) | \$ 400 |
| Modification w/o Expansion (no engineering review) | \$ N/A |

APPLICATION PROCESS

Copies of a Preliminary Engineering Report (PER) with the appropriate National Pollutant Discharge Elimination System (NPDES) or Land Application System permit application must be submitted to the SCDHEC. The report must be prepared and stamped by a professional engineer registered in SC. The report must be prepared in accordance with Regulation R.61-67. If an industrial discharge is to a municipal wastewater treatment system, a pretreatment permit from the local utility must be included in the preliminary engineering report.

If the submittal is complete and the staff review indicates a preliminary approval can be granted, a letter of preliminary approval will be transmitted to the engineer with a copy to the applicant. Upon approval of a PER, the applicant should submit plans and specifications which have been stamped by a registered professional engineer. If the submittal is complete, a review will be conducted to determine if a permit to construct can be issued. Incomplete submittals will be returned so they can be resubmitted as a complete package.

GENERAL REQUIREMENTS OF A PERMIT

For wastewater treatment facilities, the PER should be submitted first. When both a preliminary engineering report approval has been granted and the applicable discharge permit has been issued (NPDES, Land Application System or Municipal pretreatment permit), the plans and specifications should be submitted. For projects with a collection system only, the PER, plans and specifications may be submitted together.

A permit to operate must be issued by the SCDHEC prior to any person starting up a wastewater treatment or collection system.

If a facility intends to land apply its treated wastewater, a Land Application System permit will need to be issued. This process is comparable to the NPDES permit. If a facility intends to land apply its sludge, a permit is also required. In some cases, land application of sludge will be incorporated into the applicable effluent discharge permit.

A permit to construct will not be issued until the applicable effluent discharge permit has been issued. The wastewater treatment plant will be classified in the construction permit. This classification, along with the level of operator, will be given in the NPDES and Land Application System permits.

Any proposed facility which plans to discharge large volumes of wastewater and/or process wastewater to a public or private wastewater treatment system via

an individual service connection should contact the Department to verify the flow capacities remaining for permitting, and to determine the performance of the system in order to ascertain whether or not the project can be permitted to the system.

Permits for collection systems are issued when capacity is available. Actual flows at the facility are not used to critique the available capacity, but rather the total permitted flow is used.

Projects must be in conformance with the approved water quality management plans for the area as specified by Section 208 of the Federal Clean Water Act and R.61-67.

3. STORM WATER NPDES PERMITTING

APPLICABILITY

Stormwater Discharges Associated with Industrial Activity

In general, activities or facilities classified as "Associated with Industrial Activity" must receive NPDES permit coverage for their storm water discharge(s). These activities generally include industrial manufacturing facilities, landfills, hazardous waste treatment, storage, and disposal facilities, steam electric power generating facilities, salvage operations including "junkyards," and Municipal WWTP sites with a permit capacity 1 MGD or greater or WWTP facilities with a pretreatment program. In addition, the Storm Water NPDES permitting requirements apply to land disturbance activities that disturb an area greater than five (5) acres. Agricultural (land disturbance activities) operations are generally exempt from the Storm Water NPDES permit program. (Also, see State Storm Water Management and Sediment Reduction Act Permitting).

Facilities are exempted from the program if their storm water is not exposed to pollutants. To qualify for this exemption, a "No Exposure" certification form must be submitted.

Municipal Separate Storm Sewer Systems (MS4s)

Phase I Stormwater NPDES regulations require large and medium MS4s to obtain stormwater NPDES permits. MS4s are divided into three categories: large (250,000 or greater); medium (less than 250,000 but equal to and greater than 100,000); and small (less than 100,000).

Under the Phase II Stormwater NPDES regulations, small MS4s located in urbanized areas (areas with a population of 50,000 or more) must obtain an NPDES permit. The application for these facilities must be submitted on or before March 10, 2003.

AUTHORIZING STATUTE(S)

Federal Water Pollution Control Act of 1972 (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-217) as amended by the Water Quality Control Act of 1987 (P.L. 100-4). [U.S.C. 1251 et. seq.]. SC Pollution Control (SC Code of Laws, 1976, Title 48, Chapter 1.

REGULATION(S)

SC R.61-9.

TERM(S)

General and individual Storm Water NPDES Storm Water permits are issued for a maximum term of five years.

FEE(S)Stormwater Discharges Associated with Industrial Activity

There is a \$75 fee for coverage under a general Storm Water NPDES permit for industrial activity. However, the annual fee for an individual Storm Water NPDES Permit varies from \$400 to a maximum of \$1,600.00 based on the amount of storm water to be discharged. For a facility with an individual Storm Water NPDES Permit, an annual base fee of \$1,200 apply for six (6) or more discharge pipes plus \$600/discharge for each discharge pipe over five.

Stormwater Discharges Associated with Construction Activity

If only the general Storm Water NPDES permit for construction activity apply, then an application fee of \$50 per disturbed acre, not to exceed \$2,000, along with a one time operational fee of \$125 must be paid before coverage can be granted. If both the general Storm Water NPDES permit for construction activity and the Sediment, Erosion, and Stormwater Management requirements apply, then a one time operational fee of \$125 must be paid before coverage can be granted.

Municipal Separate Storm Sewer Systems (MS4s)

A. Individual Permits

| | |
|---------------|----------|
| 1. Large MS4 | \$25,000 |
| 2. Medium MS4 | \$15,000 |
| 3. Small MS4 | \$10,000 |

| | |
|--------------------------------------|---------|
| B. Coverage under MS4 General Permit | \$2,000 |
|--------------------------------------|---------|

APPLICATION PROCESS

A General Storm Water NPDES Permit has been issued for all categories of "Associated with Industrial Activity." A notice of intent (NOI) must be filed with the BW. Seven (7) days after the date of the postmark of the NOI, the applicant automatically has general NPDES permit coverage unless notified by the Department that general permit coverage cannot be granted.

Individual Storm Water NPDES permits can be applied for by using Form 1 and Form 2F or other form(s) designated by the SCDHEC. These applications are then processed as regular NPDES permit applications.

Presently, there is not a general NPDES permit for MS4s. However, a general permit is expected to be issued for small MS4s before the application deadline of March 10, 2003. Small MS4s will then submit an NOI to be covered under the general permit.

GENERAL REQUIREMENTS OF A PERMIT

Coverage under one of the general permits requires the permittee to have a Pollution Prevention Plan for the control of storm water discharges from the regulated site or facility at the time the NOI is filed. This plan will consist of the Best Management Practices (BMPs) the permittee will use at the site or facility to control the discharge of storm water. The BMPs must be designed to prevent or minimize storm water exposure to pollutants. They also must provide sediment and erosion control.

Self inspections must be performed periodically to ensure compliance with the permit. These inspections must be documented and the Pollution Prevention Plan updated as necessary. The inspection results are not normally submitted to the BW unless specifically requested. Certain categories of industrial activities must monitor their storm water discharges on either a yearly or semiannual basis. The general Storm Water NPDES permit should be consulted to determine the categories that must monitor their storm water.

Large and medium MS4 operators are required to develop and implement Stormwater Management Plans. The plans must address, at a minimum, structural control maintenance; areas of significant development or redevelopment; roadway runoff management; flood control related to water quality issues; municipal owned operations such as landfills, wastewater treatment plants, etc.; hazardous waste treatment, storage or disposal sites, etc.; application of pesticides, herbicides, and fertilizers; illicit discharge detection and elimination; regulation of sites classified as associated with industrial activity; construction site and post-construction site runoff control; and public education and outreach.

Small MS4s will also have to develop and implement a Stormwater Management Program. Their Stormwater Management Program must address several minimum control measures. They include public education and outreach, public participation/involvement; illicit discharge detection and elimination; construction site runoff control; post-construction site runoff control; and pollution prevention/good house keeping.

4. SECTION 401: WATER QUALITY CERTIFICATION

APPLICABILITY

Any applicant for a Federal permit or license for an activity which may result in a discharge to navigable waters must receive certification from the SCDHEC that applicable State water quality standards will not be violated. The Federal permit or license cannot be issued until certification is issued and cannot be issued at all if certification is denied.

Certification is required for activities permitted by the U.S. Army Corps of Engineers for construction in navigable waters or discharge of dredged or fill material into the State's waters, including wetlands. Examples of activities requiring Corps permits include, but are not limited to construction of marinas, docks, bulkheads, boat ramps, roadways, impoundments, and canals. U.S. Coast Guard permits for bridge construction and Federal Energy Regulatory Commission licenses for hydroelectric projects may also require certification.

AUTHORIZING STATUTE(S)

Section 401 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-217) and the Water Quality Act of 1987 (P.L. 100-4). [U.S.C. 1251 et. seq.]

TERM(S)

Not applicable.

FEE(S)

\$50 for minor activities. \$500 for major activities.

APPLICATION PROCESS

After an applicant has applied to the U.S. Army Corps of Engineers, the Corps issues a joint Corps/State Public Notice for the proposed activity. This joint public notice serves as application to the SCDHEC for certification. Applicants for other Federal permits or licenses must apply directly to the SCDHEC which issues a separate public notice of the application.

The applicant must publish notice of application in a newspaper of local or general circulation reasonably expected to cover the area affected by the activity. The applicant shall provide the Department with an affidavit of publication from the newspaper within fifteen (15) days of the publication. The applicant must provide the Department with the required fee prior to the completion of the review.

The Department shall hold a public informational hearing whenever twenty (20) or more individual written requests are received during the public comment period and which raise water quality and classified use issues. A hearing may also be held whenever the Department staff determines that it may be useful in reaching a decision on an application.

Written comments submitted during the designated comment period in each joint public notice are reviewed and considered by the SCDHEC staff. The SCDHEC staff may request additional information from the applicant any time during the review process. After the public comment period and review of all available information, the SCDHEC staff prepares a staff assessment considering all application materials, supporting documentation, and other comments. The SCDHEC staff will generally complete their assessment within fifteen days after the public comment period ends if all of the required information is received. The Department then issues a Notice of Proposed Decision which is sent to the applicant, adjacent property owners, agencies with jurisdiction or interest over the activity site, and those persons providing comment in response to the initial notice of application. All aggrieved parties have fifteen days to adjudicate this proposed decision under SCDHEC Regulation 61-72. If no appeal is received, then the final 401 Water Quality Certification is issued or denied.

GENERAL REQUIREMENTS OF A CERTIFICATION

The Federal permit or license cannot be issued without water quality certification. Any conditions of certification become part of the Federal permit or license when issued.

Some projects requiring permit or license and water quality certification may also require a critical area permit, coastal zone consistency certification, or a construction in navigable waters permit.

In those cases where both a 401 Water Quality Certification and Coastal Zone Consistency Certification are required, the two are combined into a "State Certification" to be issued by EQC. In those cases where both a 401 Water Quality Certification and a critical area permit are required, the two are combined into a critical area permit/401 Water Quality Certification to be issued by the OCRM. Navigable waters permit issues will be considered in the 401 Water Quality Certification review.

5. STATE DAMS AND RESERVOIRS SAFETY ACT PERMITTING

APPLICABILITY

The permit requirement extends to any existing or proposed state-regulated dam (any dam 25 feet or more in height or impounding 50 acre feet of water or more; any dam smaller than this which presents a direct threat to human life). State law requires a permit for the construction of a new state-regulated dam or for the repair/alteration of an existing state-regulated dam.

AUTHORIZING STATUE(S)

SC Dams and Reservoirs Safety Act (SC Code of Laws, 1976, Title 49, Chapter 11, Article 3).

REGULATION(S)

SC R.72-1 through R.72-9.

TERM(S)

These are one-time permits normally issued for the period of construction/repair/alteration (normally 2 years maximum, unless extended by special circumstances).

FEE(S)

None

APPLICATION PROCESS

Three copies of a Dams and Reservoirs safety permit application, together with three sets of plans, specifications, design reports and calculations prepared by a registered professional engineer in SC, or (in the case of small farm ponds) prepared by the Natural Resources Conservation Service.

If the design engineer is unsure of the hazard classification that will be assigned to the dam, he can submit one copy of a preliminary permit application and one copy of preliminary calculations to support the hazard classification he deems appropriate. After this material has been reviewed, the engineer will be notified of the classification assigned, and he can complete the documents for the permit application.

GENERAL REQUIREMENTS FOR A PERMIT

Dam must meet minimum safety criteria accepted in the engineering community. Spillway capacity must equal or exceed the minimums specified in state regulations. If the dam is classified as high hazard or significant hazard, flood inundation maps must be prepared showing the areas to be flooded if the dam should fail.

6. CONSTRUCTION IN NAVIGABLE WATERS PERMITTING

APPLICABILITY

Permits are required for dredging, filling, or construction in, on, or over a navigable water. Navigable waters are waters which are navigable, have been navigable, or can be made navigable by removal of incidental obstructions by rafts of lumber or timber or by small pleasure or sport fishing boats. These waters are below the mean high water line in tidally influenced areas or below the ordinary high water mark in nontidal waters.

AUTHORIZING STATUTE(S)

Article 14, Section 4 of the SC Constitution, 49-1-10 1976 Code of Laws of SC.

REGULATION(S)

SC R.19-450.

TERM(S)

Three (3) years for completion of construction, 10 years for authorization of activity for those projects requiring continuous operation such as a marina.

FEE(S)

\$50 for noncommercial applicants, \$100 for aerial crossings, and \$500 for commercial or industrial applicants

APPLICATION PROCESS

No separate application is necessary for activities which also receive 401 Water Quality Certification, Coastal Zone Consistency Certification, or another permit from the SCDHEC (NPDES, Mining, Water Supply, etc.). Program areas will coordinate to insure that the permitting requirements of this program are satisfied by the applicant through appropriate permit conditions. These other agency permits or certifications will consider the effects of the proposed activity on State navigable waters. Activities affecting navigable waters which are not otherwise subject to the SCDHEC review will require separate application.

Upon receipt of an application, the Department issues a public notice of the proposed activity allowing a thirty (30) day period for receipt of comments. The notice will be sent to other State agencies, interested individuals, and adjacent property owners. The applicant must publish a notice in a newspaper of general or local circulation in the county where the encroachment is sought. This notice will allow for a 15-day period for receipt of comments.

After close of all comment periods, the Department will evaluate the permit application, prepare a written staff assessment considering all information, and issue a Notice of Proposed Decision. This Notice of Proposed Decision is sent to the applicant, commenters on the project, and adjacent property owners and will allow a 15-day opportunity for appeal. If no appeals are received, the permit is issued or denied as proposed.

GENERAL REQUIREMENTS OF A PERMIT

Permitted activities may not affect the navigability of a stream. The activities should be constructed or operated in such a manner as to have no adverse effects on water quality or the aquatic community.

7. STATE STORM WATER MANAGEMENT AND SEDIMENT REDUCTION ACT PERMITTING

APPLICABILITY

The permit requirement extends to any land disturbing activity, disturbing an area

of two or more acres. In addition, the Storm Water NPDES Permitting requirements apply to projects that disturb an area greater than five (5) acres. Note: Additional requirements may be imposed in the eight (8) county Coastal Zone area through the Coastal Zone Management (CZM) program.

AUTHORIZING STATUTE(S)

SC Stormwater Management and Sediment Reduction Act (SC Code of Laws, 1976, as amended Title 48, Chapter 14). Regulation Document No. 1416 of Chapter 72 as published in the SC State Register Vol. 16, Issue 6, Friday, June 26, 1992.

TERM(S)

These are one-time permits normally issued for the period of construction (permits are issued for a maximum of 5 years) associated with the land disturbing activity.

FEE(S)

\$50.00/disturbed acre to a maximum of \$2,000.00 per project.

APPLICATION PROCESS

One copy of the Stormwater Management and Sediment Reduction Application, and an application fee, with one copy of plans, specifications, design reports and calculations prepared by a Registered Professional Engineer, Tier B Professional Land Surveyor or by a Landscape Architect as defined by the appropriate state laws governing the practice of each.

Once these documents have been approved for a permit, the applicant is required to submit four (4) additional sets of plans (5 total plan sets) to be stamped "Approved" by the permitting agent. These approved plan sets are distributed in the following manner: one plan reviewer copy, one inspector copy, one copy for the owner, one copy for the designer, and one copy to remain on site at all times. Plan revisions may be made, but those that will affect the permit must be approved as a revision. There is no fee for a revision.

GENERAL REQUIREMENTS FOR A PERMIT

Discharge of storm water must meet a minimum standard for quantity and quality. During construction 80 percent of the sediment must be trapped on site or a discharge effluent of no greater than 0.5 ml/L settleable solids be discharged during the peak runoff of a 10-year 24 hour design storm event. Post-construction peak flow rate must be controlled to that of the pre-developed rate during the 2-year and 10-year 24 hour design storm events. Justification may be submitted to show no impacts due to the increased rate of runoff for a waiver. Discharge velocities must be nonerosive and cause no significant impact. The storm water management system must pass a 100-year 24 hour design storm event without significant impact. A risk assessment may be done to justify a different design storm event or downstream impact due to increased quantity.

8. SHELLFISH SANITATION - CERTIFICATES AND PERMITS

APPLICABILITY

A certificate is required for facilities processing molluscan shellfish (oysters, clams, and mussels), and blue crab. Processing is defined as those actions related to the operation of the certified shipper facilities of depuration processor (DP), shucker-packers (SP), repackers (RP), shellstock shippers (SS), reshippers (RS), and crabmeat processors (CR). A permit is required to relay shellfish, wet store shellfish, deplete shellfish from closed areas, harvest shellfish for depuration, and conduct shellfish aquaculture. A permit is required to construct a wet storage facility, depuration facility, or aquaculture facility. All other products are currently regulated by the U.S. Food and Drug Administration, under the authority of CFR 21, Part 123 (Seafood HACCP).

AUTHORIZING STATUTE(S)

Shellfish and Blue Crab processing certificates, as well as, permits required to relay shellfish, wet store shellfish, deplete shellfish from closed areas, harvest shellfish for depuration, and conduct shellfish aquaculture are authorized by Section 44-1-140 SC Code of Laws, 1976.

REGULATION(S)

Molluscan shellfish certification and permitting are authorized pursuant to SC R.61-47 "Shellfish." Blue crab processing certification is authorized pursuant to SC R.61-49 "Crab Meat."

TERM(S)

Processing certificates shall expire on June 30 of each year. Permits and Certificates are issued and renewed as required by specific project. Permits and certificates shall be non-transferrable.

FEE(S)

None.

APPLICATION PROCESS

Steps for Certification or Permitting:

1. Applicant contacts the Department for application form.
2. Application form with copy of appropriate regulation is provided to applicant.
3. Completed application form is returned to the Department.
4. Completed applications are date stamped and forwarded to appropriate district. District staff make contact with applicant, provide necessary technical assistance, make necessary site visits, and conduct final pre-permitting inspection. Completed application with necessary signatures and copy of final inspection are forwarded to the shellfish program manager. Program manager reviews, (and if

appropriate) approves and forwards to the Division Director for signature.

5. Program issues appropriate permit or certificate. Certificate or permit is issued within forty-five (45) days from receipt of an acceptable application and approved pre-permit inspection.

GENERAL REQUIREMENTS OF A CERTIFICATE OR PERMIT

Only persons who comply with R.61-47 and 61-49 shall be entitled to receive and retain a permit or certificate.

9. PUBLIC WATER SYSTEM CONSTRUCTION PERMITTING

APPLICABILITY

Before the construction, modification or expansion of any public water system, a permit to construct must be obtained from the Department. Furthermore, before such construction can be placed into operation a separate approval must be obtained from the Department.

AUTHORIZING STATUTE(S)

SC Safe Drinking Water Act, Title 44, Chapter 55, SC Code of Laws, 1976, as amended.

REGULATION(S)

SC R.61-58.

TERM(S)

Permits to construct are valid for 2 years.

FEE(S)

There is no fee associated with any construction or operating permits. However, the water system supplier is charged an annual drinking water fee (Safe Drinking Water Act Fee) based on the system type and/or the number of taps and sources.

APPLICATION PROCESS

The application shall include a completed application form for a permit to construct (DHEC Form 1936), engineering plans, and specifications prepared by an engineer registered in the State of SC. The plans and specifications must bear the official seal and signature of the engineer. The application must also include such engineering, chemical, physical, radiological or bacteriological data as may be required by the Department. Upon review and approval, a permit to construct will be issued to the owner of the construction project. If the construction has not been completed within two years of the issuance of the permit to construct, the owner must submit a request for an extension of time to complete the construction.

Upon completion of the construction, the engineer responsible for overseeing the construction must submit a letter to the Department certifying that the construction is complete and in accordance with the approved plans and specifications. Along with this certification letter the engineer will be required to submit additional information based on the type and complexity of the project. Following a satisfactory review of the information and possible on-site inspection of the construction project by Department personnel, an approval to operate will be issued.

GENERAL REQUIREMENTS OF THE PERMIT

The construction must be in accordance with the permitted construction plans, specifications and any special conditions of the permit. If the project is not constructed in accordance with the approved plans and specifications, as-built construction plans must be submitted with the engineers certification letter. The engineer must outline in the certification letter all changes from the permitted plans and specifications.

11. INDIVIDUAL RESIDENTIAL WELL AND IRRIGATION WELL PERMITTING

APPLICABILITY

A Notice of Intent is required to be submitted prior to the construction of an individual residential well or irrigation well. Wells to serve poultry and livestock are considered irrigation wells. In emergency situations construction may proceed, but the Notice of Intent must be provided within 24 hours.

AUTHORIZING STATUTE(S)

Title 48 Chapter 2 and Title 44 Chapter 55 of the 1976 SC Code of Laws, as amended.

REGULATION(S)

SC R.61-44 and SC R.61-71.

TERM(S)

An application is approved indefinitely.

FEE(S)

\$70 for individual residential well; \$50 for irrigation well.

APPLICATION PROCESS

A copy of the Notice of Intent, accompanied by the appropriate fee, must be submitted to the Water Monitoring, Assessment, and Protection Division of the Bureau of Water.

GENERAL REQUIREMENTS OF A PERMIT

The Notice of Intent must contain the well owner's mailing address and telephone number. The location of the well, if different from the owner's address, must be included. The well usage must be indicated on the form. The well driller's name, address, and telephone number can be omitted, but must be provided with the 48 hour notification. Wells must be constructed in accordance with the Well Standards: R.61-71. Any well is subject to an inspection by Department personnel. A bacteriological analysis of the water from a new well is available at no additional charge. A Water Well Record Form is required to be submitted to the Department within 30 days of completion of the well.

12. INTERBASIN TRANSFER PERMITTING PROGRAM

APPLICABILITY

A permit is required for any entity to withdraw, divert, pump, or cause directly the transfer of either five percent of the seven-day, ten-year low flow, or one million gallons or more of water a day, whichever is less, from one river basin and to use or discharge all or any part of the water in a different river basin. Fifteen river basins are delineated in the permit program. The purpose of the program is to protect present and projected water stream uses in the losing river basin including, but not limited to, agricultural, municipal, industrial, instream uses, assimilative needs, as well as the water quality of the losing river basin.

AUTHORIZING STATUTE(S)

Interbasin Transfer of Water Act (SC Code of Laws, 1976, Title 49, Chapter 21), and R.121-12.1, et. seq., SC Code of Laws, 1976, as amended.

TERM(S)

Permit terms range from 20 to 40 years, based upon a review of all relevant facts pertaining to the proposed transfer.

FEE(S)

None

APPLICATION PROCESS

Two copies of the application are required prior to initiating a transfer. The application consists of certain information and maps of water and wastewater facilities to be utilized or constructed by the applicant. Other required information includes current and projected water use (by source) and wastewater volumes, current or proposed conservation practices, and a detailed engineering and economic assessment of alternatives to the proposed interbasin transfer. An extended public comment period of 120 days provides for input from water users, dischargers and other interested parties. A minimum of approximately seven months is required to review and make a decision on the permit following submittal of the application.

GENERAL REQUIREMENTS OF A PERMIT

A permit may be issued only if existing stream uses, including water quality, in the losing river basin are protected. Further, the transfer shall not violate the water classification standard system, the stream classification regulation, nor adversely affect the public health or welfare. Conditions may be placed on a permit to insure protection against adverse effects in the basin, and also to promote an adequate water supply for the State.

13. UNDERGROUND INJECTION CONTROL PERMITTING

APPLICABILITY

A construction permit and operating approval is required for an injection facility used for emplacement of fluid into the subsurface or groundwater by means of a well. For certain non-contact injection systems regulation by rule is applicable. Injection of wastes or contaminants into the subsurface is prohibited.

AUTHORIZING STATUTE(S)

Title 40 of the Code of Federal Regulations. Title 48 Chapter 1 of the 1976 SC Code of Laws.

REGULATION(S)

SC R.61-87.

TERM(S)

Varies up to 10 years.

FEE(S)

None

APPLICATION PROCESS

Three copies of the Underground Injection Control Permit (UIC) Permit to Construct and the appropriate attachments must be submitted to the Water Monitoring, Assessment, and Protection Division of the Bureau.

GENERAL REQUIREMENTS OF A PERMIT

Information must contain owner/operator name, descriptive nature of business, all wells within area of review, geologic and hydrogeologic maps and subsurface descriptions, etc., proposed well construction details, testing, operating, and monitoring program. Other information may be necessary as required by the Department. Reporting and monitoring requirements are on a case-by-case basis as required by the Department to insure adequate protection of the groundwater of the State.

14. GROUNDWATER USE PERMITTING

APPLICABILITY

All groundwater withdrawals in a designated Capacity Use area in excess of three million gallons during any one month must be permitted.

AUTHORIZING STATUTE(S)

The Groundwater Use and Reporting Act, (Chapter 5 of Title 49, Section 49-5-10 et. seq. of the 1976 Code as amended).

REGULATION(S)

Regulations for Groundwater Use in the Low Country Capacity Use Area, Chapter 121, Section 49-5-10 et. seq., 1976 S.C. Code.

Regulations for Groundwater Use in the Waccamaw Capacity Use Area, Chapter 121, Section 49-5-10 et. seq., 1976 S.C. Code.

TERM(S)

Permits to operate may be issued for up to ten (10) years.

FEE(S)

None

APPLICATION PROCESS

The process requires the submittal of an application by the proposed groundwater user for a permit to construct. Such application should also include a water use plan detailing the nature of the operation and planned development of the resource. After appropriate review and approval by the Department, a permit to construct will be issued. Upon the successful completion of the system and required testing to the satisfaction of the Department, a permit to operate will be issued.

If the application is for a public water supply well, it will be processed along with the application for a permit to construct a public water system and only one construction and operating permit will be issued.

GENERAL REQUIREMENTS OF A PERMIT

Each permit must comply with the construction, operation, and special conditions as set forth in the Regulations for Groundwater Use in the Low Country and Waccamaw Capacity Use Area.

15. RECREATIONAL WATERS CONSTRUCTION PERMITTING

APPLICABILITY

Before the construction or alteration of any public swimming facility, a permit to construct must be obtained from the Department. A public swimming facility includes a pool, spa, hot tub or water slide which is not built in connection with a single family residence, or which is not owned, constructed, operated or maintained by a church, synagogue, or religious organization.

AUTHORIZING STATUTE(S)

Sections 44-1-140(7), 44-1-150, and 44-55-2330 of the Code of Law of SC, 1976, as amended.

REGULATION(S)

SC R.61-51.

TERM(S)

Permits to construct are valid for 1 year. An operating permit fee must be paid to the Department on a calendar year basis in order for the pool to continue to operate.

FEE(S)**A. Construction Permit Fee:**

1. Type "A", "B", "C", "D", and "F" pools

Base Fee - \$200.00

Size Fee - \$0.20 per square foot of pool surface area

Total Fee - \$200.00 plus Size Fee

2. Type "E" water flumes or water courses

Fee - \$500 per flume or water course. Additional area above the required landing area and all other type "E" pools will be charged according to item #1 above.

B. Operating Permit Fees:

1. Type "A", "B", "C", "D", and "F" pools

Fee: \$100.00 for the first pool plus \$70.00 for each additional pool on the same property

2. Type "E" Pools

Fee: \$70.00 per flume

Late Penalty: Payment for fees are due by January 1 of each calendar year and are considered delinquent after March 15 of each year. A fifty percent (50%) late fee will be assessed for all delinquent permit fees.

APPLICATION PROCESS

The application package shall include a completed application form for a permit to construct (DHEC Form 2501), plans and specifications prepared by an engineer or architect registered in the State of SC. The application must also include payment of the construction permit fee. If the construction permit fee is not included in the application package, an invoice for the fee will be sent to the owner of the proposed pool. The Department will not commence a review of the application package until the fee has been paid. Upon review and approval of the application package, a permit to construct will be issued to the owner of the pool construction project.

GENERAL REQUIREMENTS OF A PERMIT

A minimum of two (2) inspections will be required by the Department. The Department must be notified at least three (3) days prior to scheduling inspections. The initial inspection will be a piping inspection. During actual construction of the public swimming pool, after all piping has been installed and before it is covered, the contractor, design engineer, or architect, must notify the Department so that an inspection of all piping, fittings, and other applicable equipment can be conducted to verify their sizes and locations. If there are any variations from the approved plans and specifications, such variations must be corrected by the contractor, or plans and specifications detailing the changes must be re-submitted for a construction permit revision prior to continuance of construction.

A final inspection will be required prior to placing the pool into operation. The following items must be submitted to the Department at least three (3) days prior to any scheduling of a final inspection and/or issuance of a permit to operate:

1. A letter from the pool contractor and one by the general contractor, owner, or his designated agent certifying that the public swimming pool has been constructed according to the approved plans and specifications and is ready for the final inspection. Both letters must be received by the Department before a final inspection will be conducted and/or approved. This is to include the bathhouse, minimum toilet facilities if required, fence, equipment room, area lighting, phones, safety equipment, foot showers and backflow prevention devices, and other applicable items. The Department may collect an additional \$100.00 from the owner for each repeat final inspection that is required due to incomplete construction or construction that is not in accordance with permitted plans and specifications.
2. Two (2) copies of record (as built) drawings if the project was not constructed exactly as permitted.

Following a satisfactory review of the above information and on-site inspection of the construction project by the Department, a permit to operate will be issued.

This permit to operate letter must be in the owner's possession before the pool can be placed into operation.

16. AGRICULTURAL ANIMAL FACILITIES PERMITTING

APPLICABILITY

Agricultural facilities such as livestock, poultry, turkey, etc. must follow the standards for the permitting of agricultural animal facilities. The permit requirement extends to any new or expansion of existing facilities and new waste management areas of existing facilities. This requirement also applies to the waste applied to the land and the land where the waste is applied. The handling, storage, treatment, and final disposal or utilization of animal waste from a new or expanding existing animal facility must be permitted before a new animal facility can be built or an existing animal facility can be expanded. Existing producers that are required by the Department to update their waste management plan due to problems at their facility as outlined in an enforcement action of the Department must comply with the requirements for agricultural animal facilities to the extent practical as determined by the Department.

AUTHORIZING STATUTE(S)

SC Confined Swine Feeding Operations Act (SC Code of Laws, 1976, Title 47, Chapter 20). SC Pollution Control Act (SC Code of Laws, 1976, Title 48, Chapter 1).

REGULATION(S)

SC R.61-43.

TERM(S)

Permits for swine facilities must be renewed at least every seven years. However, subsequent to the issuance of a permit, if the facility is not in operation or production for two consecutive years, the permit is no longer valid and a new permit must be obtained. Permits issued for other animal facilities are issued for the life of the facility unless revoked or otherwise stated in the permit.

FEE(S)

A. Swine Facilities

1. 420,000 pounds or more of normal production animal live weight at any one time -- Application Fee: \$680, Annual Fee: \$300
2. Less than 420,000 pounds of normal production animal live weight at any one time -- Application Fee: \$340, Annual Fee: \$150

B. Other Animal Facilities

1. Dry Manure/Litter Operation --Application Fee: \$165, Annual Fee: \$75
2. Wet Manure/Litter Operation --Application Fee: \$240, Annual Fee: \$150

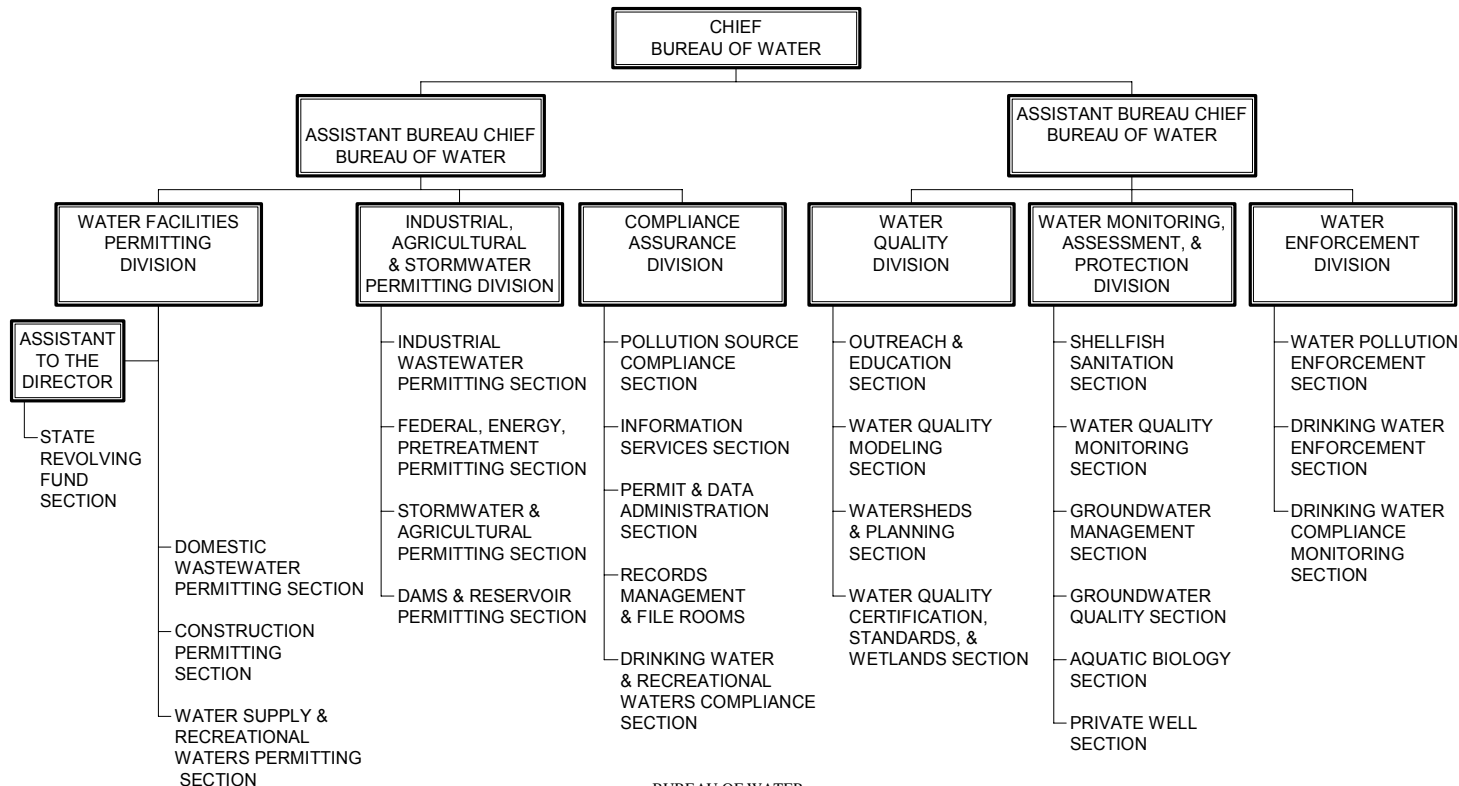
APPLICATION PROCESS

The application process begins with a preliminary site inspection by an EQC district staff person. During the site inspection, the applicant will be given copies of the notice of intent forms that he must have the adjoining property owners complete. Following the inspection, the applicant must contact the US Department of Agriculture's Natural Conservation Service (NRCS) county office or retain the services of a SC professional engineer to prepare a waste management plan. Upon completion of the waste management plan, the applicant can submit the application package to DHEC. As part of the application review process for large ($\geq 420,000$ lbs.) swine facilities, the Department will issue a public notice of the proposed activity allowing a thirty (30) day period for receipt of comments. An application fee and the first year's annual operating fee must be submitted before a permit can be issued. All final permit decisions are public noticed in a paper of general circulation.

GENERAL REQUIREMENTS FOR A PERMIT

No waste may be released from an agricultural animal facility or waste pond to the waters of the State (including ephemeral and intermittent streams) unless the waste is at least treated to drinking water quality standards and a permit pursuant to Section 402 or 404 of the CWA has been issued by the Department. In addition, the Department may impose additional or more stringent requirements for the management, handling, treatment, storage, use, or disposal of animal waste. The animal waste must be monitored at least annually and when there is a significant change in the feed composition. The constituents and method of monitoring will be described in the permit. Disposal of animal carcasses or body parts into waste lagoon, ponds, waters of the State, ephemeral and intermittent streams, ditches, and swales is prohibited.

BUREAU OF WATER



BUREAU OF WATER
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201
(803) 898-4300
Fax: (803) 898-3795 or (803) 898-4215
<http://www.scdhec.net/water/>

BUREAU OF AIR QUALITY



Air emissions in South Carolina are regulated by the Bureau of Air Quality (BAQ). The BAQ enforces state air regulations as well as acting as the delegated authority for the federal Environmental Protection Agency (EPA). In order to maintain air pollution laws and regulations, the BAQ has a permitting system for industrial and commercial facilities in the state. All stationary sources of air pollution in South Carolina must comply with permitting requirements before construction may begin. After construction has been completed and requirements satisfied, the BAQ assures continuing compliance through the issuance of operating permits.

State regulations provide the basis for the BAQ permitting system. These regulations allow for the issuance of construction and operating permits, impose limits for particulate matter (PM) and gaseous point and fugitive source emissions, and set minimum acceptable ambient air quality levels. There is also a health-based state standard for air toxics emissions.

Sources constructed or modified since July 1, 1979 with a net increase in Volatile Organic Compounds (VOC) emissions greater than 100 Tons Per Year (TPY) must meet the Lowest Achievable Emission Rate (LAER) for that type of process. No offsets are required under this state regulation. At the time of writing, South Carolina is in attainment for all national air quality standards, including ozone.

South Carolina also has a state Prevention of Significant Deterioration (PSD) regulation based on the EPA's PSD program. There is one Class I area (Cape Romain) in South Carolina which by definition allows minimal emissions impact on soils, vegetation, and visibility by new sources. There are other Class I areas in western North Carolina and southern Georgia which impact PSD permitting in certain areas of South Carolina.

The BAQ has been delegated authority by the EPA to implement New Source Performance Standards (NSPS) and certain National Emission Standards for Hazardous Air Pollutants (NESHAP). The Maximum Achievable Emission Control Technology (MACT) standards issued to date have been implemented by a BAQ-EPA cooperative effort.

On July 26, 1995, South Carolina received delegation of authority by the EPA to implement the Title V Operating Permit Program codified in SC Regulation 61-62.70. This regulation requires that all existing major facilities submit an initial Title V application within the year following this approval date. All new or modified major facilities subject to Title V must submit operating permits within 12 months after commencing operation. The purpose of the Title V permitting program is to provide a comprehensive air quality operating permit for all major sources of air contaminants.

South Carolina is one of only fifteen states that currently meet all National Ambient Air Quality Standards (NAAQS). The Palmetto State has met these standards for more than a decade. In July 1997, the United States Environmental Protection Agency (EPA) revised the NAAQS for ground-level ozone. This more stringent 8 hour ozone standard is currently under review in federal court. However, the EPA issued guidance to move forward with designations of areas as attainment/unclassifiable or non-attainment for this new standard. Each State was requested to provide recommendations to EPA last summer for those areas that appear to not meet this revised standard. Should these recommended areas be formally designated as non-attainment, South Carolina could be required to implement stricter air permit requirements, automobile and truck testing, cleaner gasoline, and add more air pollution control equipment to existing industry.

To ensure protection of the public's health and attainment of all NAAQS, further controls could be considered for industries and mobile sources outside of the non-attainment boundaries. South Carolina has the statutory authority to require statewide controls of all regulated pollutants and will seek any necessary control strategies to address ozone precursors (volatile organic compounds and oxides of nitrogen).

Unlike stratospheric ozone, which is high in the earth's atmosphere and protects us from harmful UV radiation, ground-level ozone can be found in the air we breathe. This is a concern especially for children, and anyone with respiratory illnesses. Ground-level ozone is a pollutant that forms when two chemicals - nitrogen oxide and volatile organic compounds - react in sunlight, particularly on hot sunny days. These chemicals are emitted from cars, trucks, smokestacks, and natural sources, such as trees.

Before a facility or portion of a facility is demolished, or renovated, the owner and the contractor must ensure that the facility has been thoroughly inspected for the presence of asbestos. The inspection must be performed by a person who has been trained as an asbestos building inspector in accordance with requirements of the Asbestos Model Accreditation Plan. The inspector must be licensed by the Department. In addition, written notification may also be required. The asbestos requirements are administered pursuant to SC R.61-86.1, Standards of Performance for Asbestos Projects.

AIR QUALITY PERMITTING

APPLICABILITY

Any person who plans to construct, alter or add to a source of air contaminants, including installation of any device for the control of air contaminant discharges, shall first obtain a construction permit from the SCDHEC. No construction may begin prior to receipt of a Permit to Construct from the BAQ.

The regulations are subdivided into the following program areas:

1. Title V Operating Permit Program:

Applies to any major facility defined as having the potential to emit 100 tons per year or more of any air pollutant; and/or which has the potential to emit 10 tons per year or more of any one hazardous air pollutant (HAP) or any combination of HAP's totaling 25 tons per year or more.

2. Prevention of Significant Deterioration (PSD)/Federal Clean Air Act (FCAA) Requirements:

Applies to emissions of all pollutants subject to regulation under the FCAA. Applicable to "major plants" and "major modifications" as defined in the SC R.61-62.5 Standard 7.

3. New Source Performance Standards (NSPS)/Federal Clean Air Act (FCAA) Requirements:

Apply to new processes in specific source categories with regulated pollutant as detailed in the Code of Federal Regulations, Title 40, Part 60 (40 CFR 60).

4. National Emission Standards for Hazardous Air Pollutants (NESHAP)/Federal Clean Air Act (FCAA) Requirements:

Apply to specific pollutant emitting processes as detailed in 40 CFR 61 and 63.

5. Waste combustion and reduction:

Applies to any source which burns a fuel other than virgin fuel (as defined in SC R.61-62.5 Standard 3) for any reason.

6. Lowest Achievable Emission Rate (LAER):

Applies to new construction or modifications when the net VOC emission increase exceeds 100 tons per year since July 1, 1979.

7. Fuel burning:

Applies to all devices which burn any fuel for the purpose of indirect heating where the material being heated is not contacted by the products of combustion. Imposes limits on opacity, sulfur dioxide, and particulate matter emissions.

8. Process industries:

Applies to all facilities and imposes limits on particulate matter emissions and opacity.

9. Air toxics:

Applies to all facilities having emissions of air toxic pollutants as defined in SC R.61-62.5 Standard 8.

AUTHORIZING STATUTE(S)

Clean Air Act (42 U.S.C. Sec. 7401 et. seq.). Pollution Control Act (SC Code of Laws, 1976, as amended, Title 48, Chapter 1).

REGULATION(S)

Fed. Reg. 40 CFR 1-100 and 40 CFR 61, SC R.61-62.

TERM(S)

Varies up to 5 years.

FEE(S)

There are no fees for construction permits. Once in operation, an annual permit fee is charged at a rate of \$25.00 per ton of pollutants (excluding carbon monoxide), plus an adjustment for the 1989 Consumer Price Index (CPI). (The current fee is \$34.87 per ton of pollutants.) The ceiling for fee calculation purposes is 4000 tons per pollutant.

APPLICATION PROCESS

CONSTRUCTION PERMIT

For a construction permit, the following information is required:

1. Explanation and purpose of submittal
2. *Fully* completed Part I and appropriate Part II forms
 - a. professional engineer signature must be included on Part I forms
 - b. company official signature is also required
 - c. all of the relevant data on the Part II form(s) must be included
3. Full descriptions of each air pollutant emitting process including
 - a. maximum rated throughput capacity
 - b. manufacturer specifications
 - c. manufacture date of equipment (where applicable)
 - d. all likely emissions generated
 - e. calculations or references (to be included with package if not readily available at this department)
 - f. control equipment descriptions, manufacturer specifications and ratings etc., to confirm efficiency of devices at expected contaminant loading
 - g. process flow chart which includes all product streams, exhaust streams, waste streams, control devices, etc.
4. Completed dispersion modeling questionnaires and completed dispersion modeling for criteria pollutants and air toxics, as outlined in the BAQ modeling guidelines
5. A plot plan to scale of the property, showing the dimensions of all structures (including heights) on the site that may affect pollutant dispersion as well as all property lines, clearly marked
6. Any other information necessary for determination of the expected impact on air quality from the proposed project

Once an application is received by the BAQ, it is screened for the minimum required information. It is then logged and assigned to an engineer responsible for that district/facility. When the engineer has completed the review, the permit

goes to the section head for final check. From there it is prepared and signed for delivery to the applicant.

OPERATING PERMIT

A. State:

1. For an original operating permit a written request must be submitted from the facility no later than 15 days prior to placing the source into operation. This request may trigger an inspection by the Department. An operating permit will be issued upon completion of a satisfactory inspection by the Department when an inspection is required. The facility may operate under the construction permit until an operating permit is issued.
2. For a renewal an inspection may be performed.
3. Sources must submit an Air Dispersion Modelling Analysis demonstrating it can meet all Ambient and Air Toxic Standards for facility modifications since original modelling performed for the construction permit application.

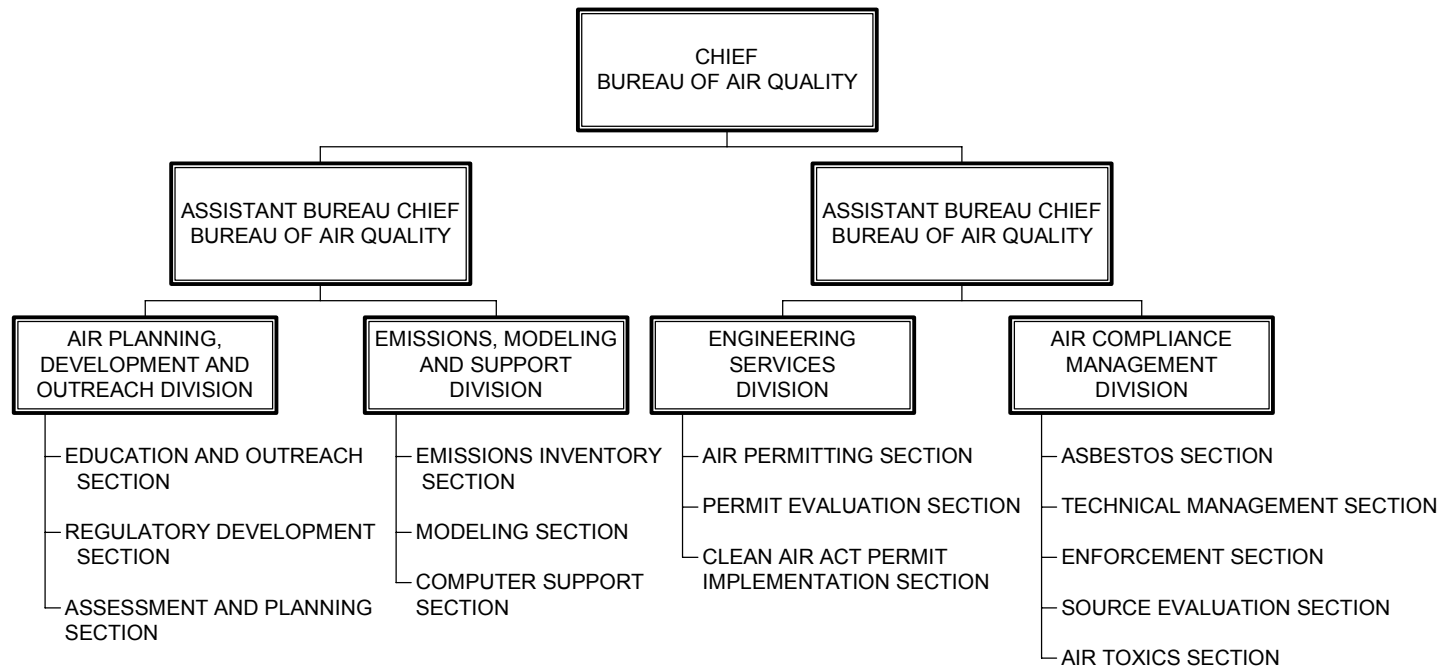
B. Title V:

Title V operating permit applications must be submitted for facilities with potential criteria pollutant emission rates greater than 100 TPY (10 TPY single Hazardous Air Pollutant [HAP] or 25 TPY total HAPS).

GENERAL REQUIREMENTS OF A PERMIT

1. Verbal notice of excess emissions must be made to the Department within 24 hours of event. Written report of excess emissions must be submitted to the Department within 30 days of occurrence. The report shall include (1) point of excess emissions; (2) magnitude of excess emissions; (3) time and duration of excess emissions; (4) identity of equipment causing excess emissions; (5) nature and cause of excess emissions; (6) steps to mitigate the excess emissions; (7) documentation that air pollution control equipment has received proper maintenance.
2. Other specific reporting and monitoring may be required by the permit as mandated in state and federal air pollution control regulations.
3. An emissions inventory for all major plants will be required biennially. Every even calendar year a new updated emission inventory will be completed by all plants for the previous calendar year and submitted to the Department by March 31. An emission inventory may be required at any time in order to determine the compliance status of any plant.

BUREAU OF AIR QUALITY



BUREAU OF AIR QUALITY
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201
(803) 898-4123
Fax: (803) 898-4117
<http://www.scdhec.net/baq/>

BUREAU OF ENVIRONMENTAL SERVICES



EQC has merged the Bureau of EQC Laboratories and the Bureau of District Services to form the Bureau of Environmental Services. The Bureau of Environmental Services functions mainly as a service group for the other bureaus within EQC and as a primary point of contact for the public. Although not specifically involved in the issuance of construction permits for environmental projects, the Bureau of Environmental Services is still closely involved in the Department's permitting process.

District Services

EQC maintains twelve (12) District Offices which are strategically located throughout the state. These offices are staffed with professionals who work in all EQC program areas.

With the knowledge and expertise gained from direct involvement with the State's regulated facilities, District personnel are often asked to comment (and in many cases review) proposed expansions of existing facilities, the proposed construction of new facilities, and the operation and maintenance of all such facilities. In addition, District employees are involved in "during construction" inspections and, in many cases, the issuance of approvals to operate permitted facilities.

District personnel are also valuable resources within the regulated community as a first point of contact by system owners concerning the need for construction permits on projects. Information concerning the locations of the twelve (12) District Offices can be found on page 57.

EQC Laboratories

State and Federal statutes require that any laboratory performing analyses to determine the quality of air, drinking water, hazardous waste, solid waste, or wastewater; performing bioassays; or performing any other analyses related to environmental quality evaluations required by the Department or which will be officially submitted to the Department be certified. The Office of Environmental Laboratory Certification provides the mechanism to assure the validity and quality of the data being generated for compliance with the affected State and Federal regulations. The title of the regulation is South Carolina Regulation 61-81, State Environmental Laboratory Certification Regulations.

Certification of the laboratory is required before the Department will accept analytical data for any parameter required by the following:

1. State Safe Drinking Water Act and Regulations
2. State Pollution Control Act and Regulations
3. State Solid Waste Management Regulations
4. State Hazardous Waste Act and Regulations

It is the responsibility of the laboratory to initiate the application for certification under the Regulation. An application must be filed with the Department before an on-site evaluation is conducted or an approved reporting status is granted.

Laboratories that are not issued a laboratory certification certificate are required to contract the affected analyses to an approved laboratory with the required parameter certification. All environmental monitoring data submitted to the Department will be reviewed to ensure that the reporting laboratory has the necessary certification. Data reported by laboratories without proper certification will be handled by the affected enforcement programs as a non-monitoring violation.

ENVIRONMENTAL LABORATORY CERTIFICATION

APPLICABILITY

The Regulation applies to any laboratory performing analyses to determine the quality of air, drinking water, hazardous waste, solid waste or wastewater; performing bioassays; or performing any other analyses related to environmental quality evaluations required by the Department or which will be officially submitted to the Department.

AUTHORIZING STATUTE(S)

40 CFR Parts 141 and 142 - National Primary Drinking Water Regulations
40 CFR Part 136 - Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act
40 CFR Parts 261 to 268 - Identification and Listing of Hazardous Waste

The Clean Air Act and Subsequent Amendments, 42 U.S.C., Sec. 7401 et. seq.
The Resource Conservation and Recovery Act, 42 U.S.C., Sec. 6901 et. seq.

SC Code Title 44, Chapter 55, The SC Safe Drinking Water Act
SC Code Title 48, Chapter 1, The SC Pollution Control Act
SC Code Title 44, Chapter 56, The SC Hazardous Waste Management Act

REGULATION(S)

SC R.61-81, R.61-79, R.61-62, and R.61-67.

TERM(S)

Renewal of certification is required at least every three (3) years and is contingent upon payment of annual certification fees in the interim.

FEE(S)

Application fee: \$125.

Annual fees are assessed on a per parameter basis and/or by category and vary according to the individual needs of the laboratory. A copy of the current fee schedule may be obtained by contacting the Office of Environmental Laboratory Certification.

APPLICATION PROCESS

The "Application for Environmental Laboratory Certification" must be completed by environmental laboratories applying for certification according to State Regulation 61-81. The completed application form, attachments and enclosures along with the required \$125 application fee must be submitted to the Office of Environmental Laboratory Certification.

In-state laboratories with applications deemed to be administratively and technically complete will be evaluated by a Laboratory Certification Officer(s) who may be assisted by members of the Department's Environmental Laboratory staff upon his/her request. A written report documenting any deviations from certification criteria will be filed with the Office of Environmental Laboratory Certification and the Laboratory Director within thirty (30) days of the evaluation. The laboratory will be given a specified amount of time to correct deviations, if necessary. If, at the end of the specified adjustment period, the technical competence and proficiency of the laboratory has been established, certification will be issued to the laboratory for the evaluated parameters.

GENERAL REQUIREMENTS

In order to maintain certification for each parameter, the laboratory will analyze a minimum of one performance audit sample annually when technically feasible to do so.

Once certified, a laboratory will have its certification withdrawn for:

1. Knowingly and willfully falsifying data.
2. Failure to obtain acceptable results on a performance audit sample and a repeat audit sample.
3. Implementing unapproved changes in acceptable procedures, methodology, techniques, facilities, quality control, records keeping, and equipment.
4. Not reporting results of performance audit samples within thirty (30) days of receipt of samples.
5. Failure to pay the appropriate certification fees.

A laboratory having lost certification for falsifying reports or misrepresenting data will not be eligible for recertification for a period of one (1) year unless the responsible individual(s) is/are no longer associated with the laboratory.

EQC DISTRICT OFFICES

CENTRAL OFFICE

Assistant Bureau Chief - (803)896-8995

Fax #: (803)896-8998

APPALACHIA I

2404 N. Main Street

Anderson, SC 29621

Phone: (864)260-5569 Fax: (864)260-4855

(Anderson, Oconee)

LOWER SAVANNAH

206 Beaufort Street, NE

Aiken, SC 29801

Phone: (803)641-7670 Fax: (803)641-7675

(Aiken, Orangeburg, Barnwell, Bamberg,
Allendale, Calhoun)

APPALACHIA II

301 University Ridge, Suite 5800

Greenville, SC 29601

Phone: (864)241-1090 Fax: (864)241-1092

(Greenville, Pickens)

PEE DEE

145 E. Cheves Street

Florence, SC 29506

Phone: (843)661-4825 Fax: (843)661-4858

(Florence, Dillon, Marion, Marlboro,
Darlington, Chesterfield)

APPALACHIA III

975 N. Church Street

Spartanburg, SC 29303

Phone: (864)596-3800 Fax: (864)596-2136

(Spartanburg, Cherokee, Union)

TRIDENT

1362 McMillian Avenue, Suite 300

Charleston, SC 29405

Phone: (843)740-1590 Fax: (843)740-1595

(Charleston, Berkeley, Dorchester)

CATAWBA

**2475 DHEC Road

Lancaster, SC 29720

Phone: (803)285-7461 Fax: (803)285-5594

(Lancaster, Chester, York)

UPPER SAVANNAH

613 South Main St.

Greenwood, SC 29646

Phone: (864)223-0333 Fax: (864)223-6935

(Greenwood, Abbeville, Laurens, Saluda
Edgefield, McCormick)

CENTRAL MIDLANDS

Bldg #5/PO Box 156

State Park, SC 29147

Phone: (803)896-0620 Fax: (803)896-0617

(Richland, Lexington, Newberry, Fairfield)

WACCAMAW

1705 Oak St. Plaza/Suite #2

Myrtle Beach, SC 29577

Phone: (843)448-1902 Fax: (843)946-9390

(Horry, Georgetown, Williamsburg)

LOW COUNTRY

1313 Thirteenth Street

Port Royal, S. C. 29935

Phone: (843)522-9097 Fax: (843)522-8463

(Beaufort, Jasper, Colleton, Hampton)

WATEREE

105 Magnolia St.

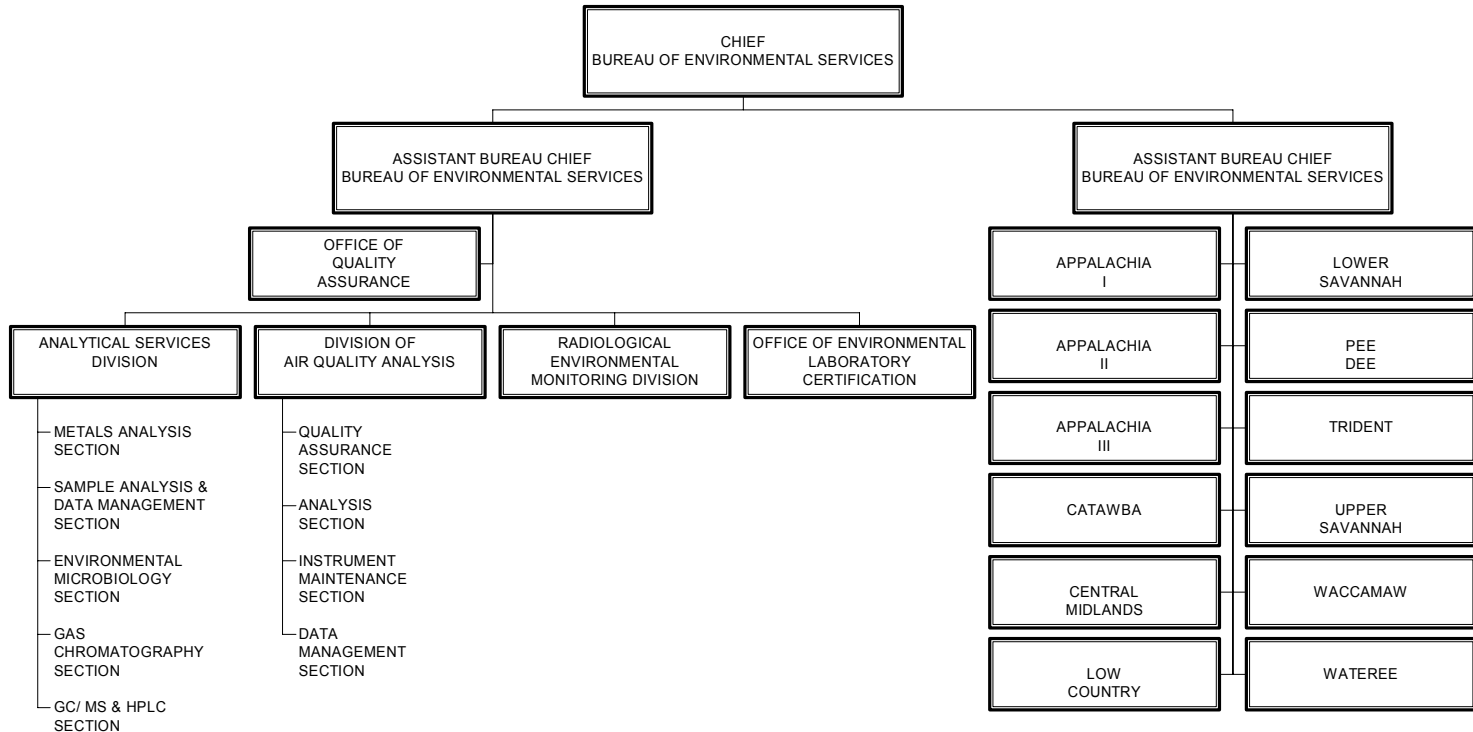
Sumter, SC 29151

Phone: (803)778-1531 Fax: (803)773-6366

(Sumter, Kershaw, Lee, Clarendon)

* * Mailing address - PO Box 100, Fort Lawn, SC 29714

BUREAU OF ENVIRONMENTAL SERVICES



BUREAU OF ENVIRONMENTAL SERVICES
EQC Laboratories
SC Department of Health and Environmental Control
P.O. Box 2202
Columbia, South Carolina 29202
(803) 896-0900
Fax: (803) 896-0980

<http://www.scdhec.net/envserv/>

BUREAU OF ENVIRONMENTAL SERVICES
District Services
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201
(803) 896-8993
Fax: (803) 896-8998

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT



The eight coastal counties of South Carolina are regulated by the Office of Ocean and Coastal Resource Management (OCRM) of SCDHEC. This Office administers the State's Coastal Zone Management Act, in addition to the State Stormwater Management and Sediment Reduction Act in the eight coastal counties.

In 1972 the Congress passed the Federal Coastal Zone Management Act. This act established guidelines for states to enact their own coastal regulations and receive federal money for the implementation of State programs. South Carolina passed such an act in 1977 and had the program approved by the federal government's National Oceanic and Atmospheric Administration (NOAA) in 1979. Since that time, the South Carolina Coastal Council administered the Act until the reorganization of State government took effect in July 1994.

The main focus of the program is the protection of wetlands, both salt and fresh, but other coastal resources, such as cultural and aesthetic concerns, are also incorporated into the program. The program is implemented through two regulatory devices. One is the direct permitting authority in the salt water or "critical areas" of the coast. The other is the certification of all State and Federal permits in the eight coastal counties.

1. CRITICAL AREA PERMITTING

APPLICABILITY

Any person wanting to alter any of the critical areas must first obtain a permit from the Department. The critical areas are defined as; 1)coastal waters, 2)tidelands and 3)beaches and dunes. The extent of the critical areas is explained in the Coastal Zone Management Act. The State's Coastal Zone Management Act (CZMA) states that a permit is required to alter any critical area. OCRM is responsible for setting critical area lines which delineate the limits of permitting authority, as well as acting on permit requests.

AUTHORIZING STATUTE(S)

Section 48-39-10-360 of the SC Code of Laws as amended.

TERM(S)

Permits are valid for five years.

FEE(S)

Fees vary from \$50.00 for a private single family non-commercial activity, \$400.00 for commercial and industrial activities, and \$1000 for marinas.

APPLICATION PROCESS

The applicant is required to submit an application to the OCRM. This application must contain the names and mailing addresses of the adjoining property owners, detailed drawings of the proposed activity on 8.5" by 11" paper, a location map, proof of publication in the newspaper and an affidavit showing that the applicant is the owner of or has the right to use the property. It is strongly suggested that applicants contact one of the OCRM offices for help in filling out the application and to preliminarily review the project. Many projects may also require a permit from the Army Corps of Engineers as well as a 401 water quality certificate from the SCDHEC. All applications must be placed on public notice for 15 days for minors and 30 days for majors. No action can be taken on the application until the public notice comment period is over. During this comment period, the OCRM receives comments from a variety of State and Federal agencies as well as the public. If requested by 20 or more citizens, a public hearing must be held in the county of the proposed activity. Once all information has been assessed, then a decision is made to either issue, issue with provisions, or deny the application. Any aggrieved party has the right to appeal that decision.

GENERAL REQUIREMENTS OF A PERMIT

Generally the decision to issue or deny a permit application is based on the performance criteria as explained in the permitting rules and regulations of the OCRM. Division staff are available in three coastal offices to review this criteria with permit applicants and the public.

2. COASTAL ZONE CONSISTENCY CERTIFICATION

APPLICABILITY

A coastal zone consistency certification is required of any project taking place in the eight coastal counties (Horry, Georgetown, Berkeley, Charleston, Dorchester, Colleton, Beaufort, and Jasper) which requires any State or Federal permit, to include any direct federal activities and any federal licensed or funded projects. No application is required of projects requiring State or federal permits; the coastal zone consistency review process takes place automatically upon application of a State or Federal permit through an internal notification process. However, federal agencies must notify the OCRM of their consistency determination in accordance with federal regulation 15 CFR 930.

NOTE: In those cases where both a 401 water quality certification and a coastal zone management consistency certification are both required, the two are combined into a "state certification." The state certification is issued by EQC; however, all the OCRM and other environmental requirements for certification must be met.

AUTHORIZING STATUTE(S)

Federal Coastal Zone Management Act as amended (P.L. 92-583, 94-370); 15 CFR 930; Section 48-39-10 et. seq., SC Code of Laws, as amended; SC Coastal Zone Management Program Document (policies and regulations).

REGULATION(S)

Federal 15 CFR 930.

TERM(S)

Not applicable.

FEE(S)

None

APPLICATION PROCESS

A separate application is not required for a coastal zone consistency determination. Notification and submittal requirements have been incorporated into applicable State and Federal permit applications, as have been public notice requirements for those State and Federal permits having public notice. Projects not otherwise noticed are placed on a 10-day public notice by the OCRM. The public notice is issued once a week on Thursdays (cut-off time is 5:00 p.m. on Tuesday). Federal agencies conducting direct federal activities must meet the requirements of 15 CFR 930 for submittals. Additional information may be requested by the OCRM to address or document specific policy issues.

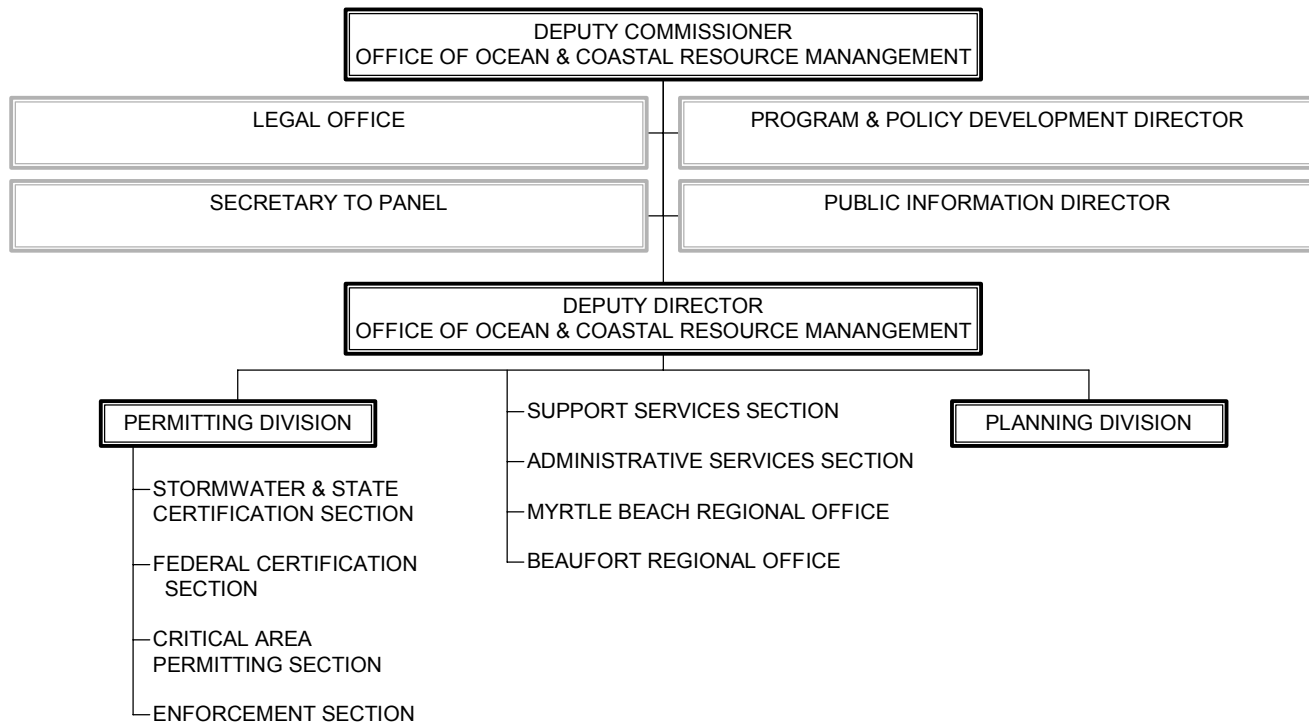
No formal requirements exist for public hearings; however, a hearing may be held, either singularly or in conjunction with another agency, whenever the OCRM staff determines that it may be useful in reaching a decision.

Written comments on projects under consistency review are received by the OCRM and made part of the record for consideration. Each project is reviewed in accordance with the policies established in the SC Coastal Zone Management Program Document. For federally permitted and licensed projects, a Notice of Intent is issued to the permittee and any commentors providing ten days during which the proposed decision can be appealed. For State permitted projects, a final certification decision is issued providing ten days during which the decision can be appealed.

GENERAL REQUIREMENTS FOR CERTIFICATION

The OCRM must certify that new development in the coastal zone is consistent with the policies of the coastal zone management program. This is accomplished through the review and certification of all projects requiring State and Federal permits. The State or Federal permit cannot be issued in the eight coastal counties without coastal zone consistency certification; any conditions or requirements become part of the State or Federal permit. The specific requirements for coastal zone consistency certification are contained in the SC Coastal Zone Management Program document. The requirements are listed by type of activity (e.g., residential development, highway construction, etc.) and are based upon performance standards. Policies also address wetland master plans, dock master plans, stormwater management, and mitigation requirements. A special category of coastal resources are identified as Geographical Areas of Particular Concern (GAPC) and receive a higher level of protection; these include sites in the Heritage Trust Program, State wildlife preserves, State parks, scenic rivers, marine and estuarine sanctuaries, shellfish areas, groundwater resources, threatened or endangered species habitat, State ports and navigation channels, mining operations, and areas of special historical, archeological or cultural significance. OCRM is directed to consult with the appropriate State or Federal agency when addressing these issues.

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT



BUREAU OF OCEAN AND COASTAL RESOURCE MANAGEMENT

SC Department of Health and Environmental Control

2600 Bull Street

Columbia, South Carolina 29201

(803) 898-3900

Fax: (803) 898-3913

<http://www.scdhec.net/ocrm/>

BUREAU OF OCEAN AND COASTAL RESOURCE MANAGEMENT

SC Department of Health and Environmental Control

1362 McMillian Avenue, Suite 400

Charleston, South Carolina 29405

(843) 744-5838

Fax: (843) 744-5847

BUREAU OF RADIOLOGICAL HEALTH



The Division of Radioactive Material Licensing and Compliance is currently responsible for the licensing and inspection of 325 specific radioactive material licensees and about 600 general licensees. South Carolina, as an Agreement State, has entered into a partnership with the U.S. Nuclear Regulatory Commission which allows the State to regulate the use of radioactive material at these facilities. Each licensed facility must use radioactive material in accordance with Department Regulation 61-63, Radioactive Materials (Title A), which outlines the regulatory requirements for the possession and use of these materials. There are 24 categories of licenses ranging from medical institutions to industrial gauges. Radioactive materials are used in the health professions for both diagnostic and therapeutic purposes. Industrial uses range from product sterilization to the level and density measurements of various construction materials. The Division is also responsible for maintaining an Emergency Response Team capable of responding to any incident involving radioactive material.

RADIOACTIVE MATERIALS LICENSING

APPLICABILITY

Radioactive material licenses are required for all facilities that receive, use, or

transfer non-exempt quantities of radioactive material. Broad categories of facilities that are licensed are listed in the fee schedule below.

AUTHORIZING STATUTE(S)

Section 13-7-40 et. seq. of the 1976 SC Code of Laws (as amended), Atomic Energy and Radiation Control Act.

REGULATION(S)

SC R.61-63.

TERM(S)

Radioactive material licenses are normally issued for a five-year period and can be renewed per the submittal of a new application. Licenses can be terminated early at the licensee's request. The Bureau of Radiological Health maintains the right to revoke licenses if it finds the licensee has failed to uphold the requirements listed in Regulation 61-63, Title A, and in their license conditions.

FEE(S)

Fees are invoiced upon issuance of the license and at the beginning of the fiscal year for every year the license is held thereafter.

| <u>License Category</u> | <u>Fee</u> |
|---|------------|
| Radioactive Material Manufacturing/Processing | \$27,000 |
| Decontamination/Nuclear Laundry | \$ 3,500 |
| Irradiator (unshielded) | \$ 4,795 |
| Irradiator (self-contained) | \$ 250 |
| Test Reactor (decommissioned) | \$ 500 |
| Large Quantity Source Material | \$ 1000 |
| Industrial Radiography (in-plant only) | \$ 895 |
| Industrial Radiography (temporary field site) | \$ 1075 |
| General License for Distribution | \$ 645 |
| Medical Institution | \$ 565 |
| Teletherapy | \$ 800 |
| Industrial Gauges | \$ 275 |
| Laboratories (commercial/medical) | \$ 260 |
| Educational Institutions | \$ 325 |
| All Other | \$ 270 |
| Nuclear Pharmacy | \$ 995 |
| Industrial Radiography Under Reciprocity | \$ 1075 |
| Medical Private Practice | \$ 470 |
| Moisture/Density Gauges | \$ 260 |
| Gas Chromatograph | \$ 150 |
| Services/Consultants | \$ 165 |
| Bone Mineral Analyzer | \$ 345 |
| Eye Applicator | \$ 345 |

| | |
|--------------------------------|---------|
| Medical/Academic Broad License | \$ 1850 |
| Well Logging | \$ 900 |
| Mobile Scanning Services | \$ 525 |

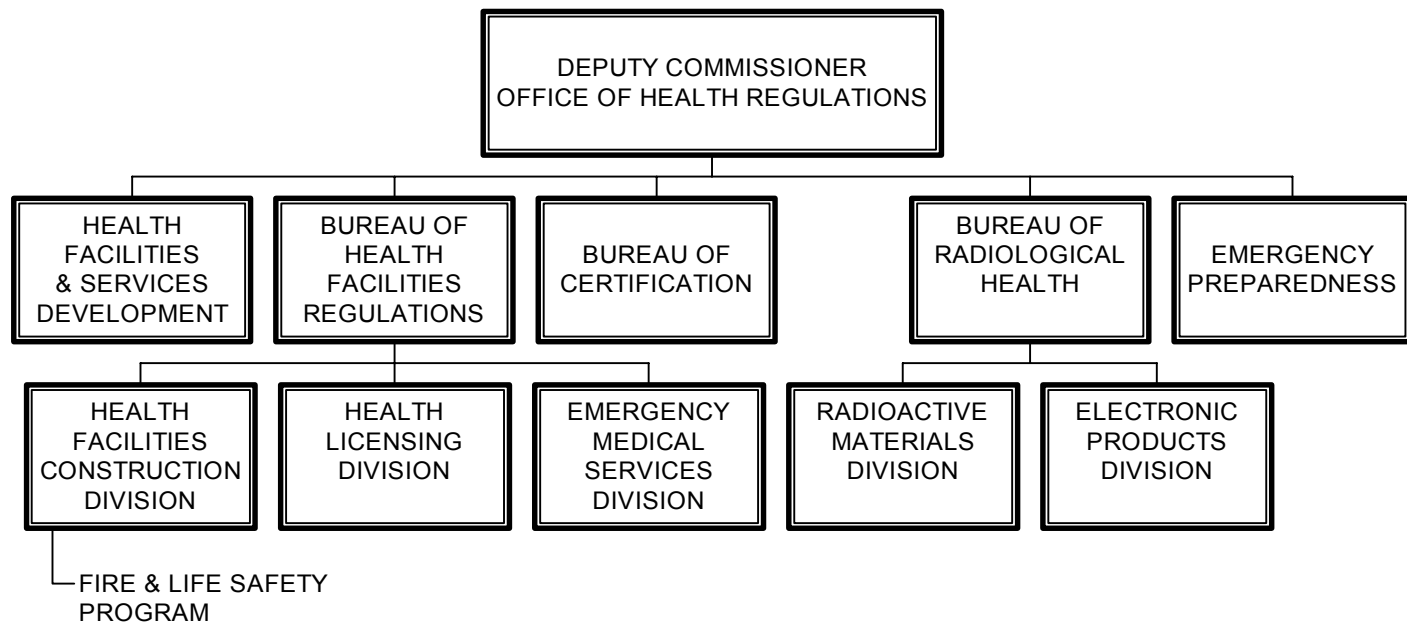
APPLICATION PROCESS

To apply for a radioactive materials license, the applicant must submit a detailed description of their proposed radioactive materials program as outlined on Form DHEC-0813. Licensing guides listing specific program requirements are available for most broad areas of radioactive materials use. The required forms and guides can be obtained from the Bureau of Radiological Health, Division of Radioactive Materials Licensing and Compliance.

GENERAL REQUIREMENTS OF A PERMIT

The general requirements of a license include areas or locations of use, isotopes and quantities to be used, training of personnel, detection instrumentation, personnel monitoring, control and storage of radioactive material, waste disposal and minimization of dose to personnel and to the general public. Individuals or companies proposing to use large quantities of long-lived radioactive material must submit financial assurances for decommissioning.

OFFICE OF HEALTH REGULATIONS



OFFICE OF HEALTH REGULATIONS
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201
(803) 737-7400
Fax: (803) 737-7412
<http://www.scdhec.net/hr/hrrh.htm>

INFORMATION AND RESOURCES

CENTER FOR WASTE MINIMIZATION

The Center for Waste Minimization (CWM) is a free, client-oriented advisory service promoting the voluntary implementation of waste minimization by companies. The CWM is a non-regulatory technical assistance program established to help business and industry identify waste reduction and recycling opportunities. The CWM's activities revolve around two general services: an information clearinghouse and technical assistance office. Both services are provided free of charge.

The information clearinghouse service provides company representatives with technical literature, case studies, industry-specific approaches for waste reduction, recycling markets information, referrals and speakers for waste minimization presentations. Requesters can call and have such information forwarded at no charge. The CWM is part of a national network of information sources on waste minimization.

Technical assistance is primarily carried out through on-site waste minimization assessments. Companies are given site-specific advice on waste minimization possibilities. A follow-up report outlines specific options on waste reduction and recycling strategies. Guidance is also provided on how to establish an on-going waste minimization program.

The CWM is part of a growing effort by South Carolina to promote pollution prevention in addition to the existing pollution control programs. While pollution control permitting is vital to the protection of South Carolina's environment, pollution prevention activities can eliminate the effect of pollution at its source, providing the most effective approach for an integrated waste management strategy. Providing a pollution prevention initiative concurrent with pollution control permitting activities is a complementary approach to ensure a clean and healthy South Carolina.

To obtain materials or receive assistance, please call the CWM at (803)896-8986 or write

Center for Waste Minimization
S.C. DHEC
2600 Bull Street
Columbia, SC 29201

OFFICE OF SOLID WASTE REDUCTION AND RECYCLING

The Office of Solid Waste Reduction and Recycling was created by the S.C. Solid Waste Policy and Management Act of 1991. As part of the S.C. Department of Health and Environmental Control's Division of Solid Waste Management, the Office is committed to helping the state reach its goals to reduce the amount of solid waste being received at landfills, and to recycle as much solid waste as possible that is generated in S.C. Such goals are established to further reduce the flow of solid waste being disposed. The Office has designed educational, public awareness, market assistance, and grant programs to help ensure that these goals are reached.

To obtain materials, reserve speakers, get answer to questions relating to solid waste reduction and recycling, or request information, please call the Office of Solid Waste Reduction and Recycling at **1-800-768-7348** or write

S.C. DHEC
Office of Solid Waste Reduction and Recycling
2600 Bull Street
Columbia, SC 29201

SMALL BUSINESS TECHNICAL AND ENVIRONMENTAL COMPLIANCE ASSISTANCE PROGRAM

The Small Business Technical and Environmental Compliance Assistance Program (SBTECAP) of the SCDHEC is directed by the Permitting Liaison. The SBTECAP is composed of three main components: a Small Business Ombudsman, a Technical Assistance Program, and a State Compliance Advisory Panel. The SBTECAP provides small businesses with the technical assistance to comply with the Clean Air Act Amendments and other media environmental requirements, particularly application for and compliance with permits and reporting requirements. For more information on the Small Business Assistance Program (SBAP), contact:

Small Business Ombudsman
Small Business Assistance Program
2600 Bull Street
Columbia, SC 29201
1-800-819-9001 or
In Columbia, SC (803)896-8940
<http://www.scdhec.net/sbap>

CONFIDENTIALITY

The Department abides by the letter and intent of the South Carolina Freedom of Information Act (FOIA) and will therefore make any permit, permit application, or

any part thereof available for inspection and copying when requested to, unless such is otherwise exempt from disclosure.

The Department recognizes that certain information contained in a permit or permit application may be trade secret, confidential, or otherwise exempt from disclosure. The SCDHEC will take every reasonable step to ensure that such information or data is not disclosed. However, **the burden remains on the permittee** to put the Department on notice that a particular part of an application may be exempt from disclosure. To that end, the Department recommends the following:

1. Any information or data for which protection from disclosure is sought should be clearly marked "CONFIDENTIAL," "TRADE SECRET," or otherwise conspicuously marked on each page.
2. After being marked, any information or data for which protection from disclosure is sought should be segregated from the main body of the application or permit and placed in a conspicuously colored or marked envelope at the end of the application or permit.
3. Where a page or containing information or data for which protection from disclosure is sought is removed from the application or permit, a redacted copy of the page should be put in its place indicating that the unedited page has been segregated. Only that information for which protection is sought should be redacted. If the contents of an entire page are to be protected, a blank page indicating this should be put in its place.
4. A brief index of the segregated information should be prepared.

Merely marking a document "CONFIDENTIAL" does not make it so. Permittees are cautioned that excessive or indiscriminate marking may increase the chances of bona-fide protected documents being inadvertently released. Permittees are urged to use their judgment and discretion.

When a marked and segregated document has been requested under the FOIA, the permittee claiming exclusion from release will be notified and given ten days to justify its exclusion from release. Failure to respond may result in the release of the information. Depending on the program, a determination whether a document is indeed exempt from disclosure may be made during the initial permitting process. The Department will make the final agency decision whether the document or information is confidential.

Permittees discovering that they have failed to mark or segregate any information for which protection from disclosure is sought may do so later. However, such failure may result in the loss of protection from disclosure.

FREEDOM OF INFORMATION OFFICE

In order to ensure open access, accountability, and timely and appropriate response to the public, requests for information are coordinated through our Freedom of Information (FOI) Center. The FOI Center is located at the DHEC central office building, 2600 Bull Street, Columbia, SC 29201. The FOI Center can be reached at (803)898-3882.

ELECTRONIC COMMUNICATION

The agency has established a site on the World Wide Web. The home page contains a variety of information, including permit application forms; program area contacts; small business assistance program information; waste minimization information; publications; guidance documents and policies; list of permit applications received by the agency; list of permit decisions and monitoring information received by the agency; activities for children; and schedules of telecourses, seminars and workshops. Our address is **<http://www.scdhec.net/>**.

| Individual Permit Applications, Notifications, Certifications, and Licenses | Initial Application Fee ^e | Annual Fee ^e | Agency Required Review Time ^a (No. Of Days) |
|---|--|--------------------------------|---|
| AIR QUALITY | | | |
| PSD Review | N/A | \$34.87/ton ^d | 270 |
| Construction Permit | N/A | N/A | 90 |
| Construction Permit w/NESHAP | N/A | N/A | 105 |
| State Operating Permit | N/A | \$34.87/ton ^d | 90 |
| Asbestos License | N/A | \$10 - \$500 | 5 |
| Asbestos Demolition & Removal (minimum fee \$25 and maximum fee \$1000) | \$0.10/ft ² | N/A | 10 |
| Title V Program Administrative Completeness Review | N/A | N/A | 60 |
| Title V Operating Permit - New | N/A | \$34.87/ton ^d | 540 |
| WATER | | | |
| Waste Water Construction Permits | | | |
| Sewer Line/Pump Station | \$75 - \$350 | N/A | 60/105 |
| New, expanded, modified WWTP (\$1 MGD) | \$550 - \$1050 | N/A | 90/120 ^f |
| New, expanded, modified WWTP (<1 MGD) | \$400 - \$700 | N/A | 90/120 ^f |
| Pretreatment | \$200/\$600 | N/A | 90 |
| Sludge/Septage Project | N/A | N/A | 60 |
| Discharge Permits | | | |
| New or increased capacity NPDES or land application | N/A | \$400 - \$1600 | 180 |
| Reissuance NPDES or land application | N/A | \$400 - \$1600 | 180 |
| General NPDES Permit (stormwater industrial, MS4, and others) | N/A | \$75/\$2000 | 7 - 60 |
| Drinking Water Protection | | | |
| Public Supply System (PWS) Construction Project | N/A | N/A | 45 |
| PWS Delegated Review Construction Project | N/A | N/A | 15 |
| Safe Drinking Water Act Fee | N/A | \$10.80 - \$43917 ^g | N/A |
| Individual Residential and Irrigation Well Construction Permit | \$70/\$50 | N/A | 2 |
| Other Permits/Certifications | | | |
| Sediment, Erosion, and Flood Control / Stormwater (Maximum \$2000) | \$50/disturbed acre | N/A | 20 |
| NPDES Storm Water Construction Permit | \$125 | N/A | 7 |
| Navigable Waters Permit (non-commercial/aerial crossing/industrial) | \$50/\$100/\$500 | N/A | 60 |
| Dam Safety Permit | N/A | N/A | 60 |
| Agricultural Waste Management Plan Approval | \$165 - \$680 | \$75 - \$300 | 90/120 |
| 401 Water Quality Certification (minor/major) | \$50/\$500 | N/A | 180 |
| Groundwater Use (Capacity Use Areas Only) | N/A | N/A | 60 |
| Underground Injection (construction/operating) | N/A | N/A | 60/45 |
| Recreational Water (Pools, Jacuzzis, Hot Tubs, etc.) | \$200 ^b +\$0.20/ft ² | \$70 - \$100 | 15 |
| Shellfish Sanitation (Certification/Permit) | N/A | N/A | 45 |
| Interbasin Transfer | N/A | N/A | 210 |
| LAND AND WASTE MANAGEMENT | | | |
| Hazardous Waste Treatment, Storage, Disposal (commercial) | N/A | \$600 | 990 |
| Hazardous Waste Treatment, Storage, Disposal (non-commercial) | N/A | \$600 | 540 |
| Hazardous Waste Transporter | N/A | N/A | 30 |
| Infectious Waste Treatment, Storage | \$25 | \$30/ton ^c | 270 |
| Radioactive Materials License | N/A | \$75 - \$275k | 30/180 |
| Radioactive Waste Transport Permit | \$100/\$200/\$1500 | N/A | 10 |
| Oil and Gas Exploration Permit | \$50 | N/A | 30 |
| Oil and Gas Well Drilling Permit | N/A | N/A | 30 |
| Terminal Facility Registration | N/A | \$200 | 30 |
| Underground Storage Tank | | | |
| Underground Storage Tank Construction | N/A | N/A | 15/45 |
| Underground Storage Tank Operating | N/A | \$100 | 10 |
| Solid Waste Landfills | | | |
| Landfills - Municipal - Preliminary Characterization Report | N/A | N/A | 60 |
| Landfills - Municipal - Site Workplan | N/A | N/A | 90 |
| Landfills - Municipal - Site Report | N/A | N/A | 120 |
| Landfills - Municipal - Permit Application | N/A | N/A | 360 |

| Individual Permit Applications, Notifications, Certifications, and Licenses | Initial Application Fee ^e | Annual Fee ^e | Agency Required Review Time ^a (No. Of Days) |
|---|--------------------------------------|-------------------------|---|
| Solid Waste Landfills (cont.) | | | |
| Landfills - Municipal Incinerator Ash - Preliminary Characterization Report | N/A | N/A | 60 |
| Landfills - Municipal Incinerator Ash - Site Workplan | N/A | N/A | 90 |
| Landfills - Municipal Incinerator Ash - Site Report | N/A | N/A | 120 |
| Landfills - Municipal Incinerator Ash - Permit Application | N/A | N/A | 360 |
| Landfills - Industrial - Preliminary Characterization Report | N/A | N/A | 60 |
| Landfills - Industrial - Site Workplan | N/A | N/A | 90 |
| Landfills - Industrial - Site Report | N/A | N/A | 120 |
| Landfills - Industrial - Permit Application | N/A | N/A | 360 |
| Construction, Demolition, & Land-Clearing Debris | | | |
| Landfills - Short-Term C&D | N/A | N/A | 120 |
| Landfills - General Permit for LCD | N/A | N/A | 120 |
| Landfills - On-Site C&D | N/A | N/A | 120 |
| Landfills - Long-Term C&D | N/A | N/A | 120 |
| Other Solid Waste Facilities | | | |
| Transfer Station | N/A | N/A | 90 |
| Processing Facility | N/A | N/A | 90 |
| Municipal Waste Incinerator | N/A | N/A | 180 |
| Used Oil Processor/Re-Refiners | N/A | N/A | 365 |
| Used Oil Fuel Marketer/Off-Specification Burner | N/A | N/A | 30/180 |
| Research, Development & Demonstration Permit | N/A | N/A | 90 |
| Waste Tire Management | | | |
| Waste Tire - Collection/Processing/Disposal | N/A | N/A | 90 |
| Solid Waste Registration | | | |
| Yard Trash: Composting & Chip/Shred | N/A | N/A | 30 |
| Waste Tire Haulers | N/A | N/A | 30 |
| Used Oil Collection Center, Aggregation Point, Transporter, & Transfer Facility | N/A | N/A | 30 |
| Battery Collection Facility | N/A | N/A | 30 |
| Mining and Reclamation | | | |
| Mine Operating Permit (general/individual) | \$0/\$500 | \$125 | 60 |
| Certificate of Exploration | \$125 | N/A | 15 |
| LABORATORY CERTIFICATION | | | |
| Laboratory Certification | \$125 | \$100 min. ^h | 90 |
| RADIOLOGICAL HEALTH | | | |
| Radioactive Materials License | N/A | \$75 - \$27k | 30/180 |
| OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT | | | |
| Critical Area Permit | \$50 - \$1000 | N/A | 60 |
| Coastal Zone Consistency Determination/Certification | N/A | N/A | 30 |

a. These are agency required time frames. This estimate does not include the time period that may be lost while the Department is waiting for the applicant to revise the application. The actual time frame for your specific project may vary due to the specific nature of your project and the current workload of the program area. Also, the agency required review time-frame may change due to changes in the regulations.

b. There is an additional fee of \$500.00 per flume or water course.

c. Operating fee applies to treatment facilities only and is due monthly.

d. \$25.00 per ton (plus Consumer Price Index adjustment) of regulated pollutant based on the actual emissions for the preceding calendar year or any other period determined by the department to be representative of normal source operation. Emissions from new sources are based on permitted emissions until actual emissions can be calculated. The CPI adjustment is that percentage of \$25.00/ton equal to the percentage, if any, by which the CPI for the most recent calendar ending before the beginning of such year exceeds the CPI for 1989.

e. Permit fees may change due to changes in the regulations.

f. Estimated review time is 120 days (or 20 days beyond effluent discharge permit issuance, whichever is greater).

g. The Drinking Water Annual Fee is based on system type and/or the number of taps and sources. This fee is comprised of three components: program administration, distribution and source monitoring. The fee is subject to change annually.

h. Annual fees are assessed on a per parameter basis and/or by category and vary according to the individual needs of the laboratory. A copy of the current fee schedule may be obtained by contacting the Environmental Laboratory Certification Program.

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South Carolina Department of Health
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2600 Bull Street
Columbia, South Carolina 29201
(803) 896-8940